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MORTMAIN IN MEDIEVAL BOROUGHS

THE Middle Ages were replete with conflicts between church and state. Besides those of national importance, like the great struggles of the Emperor Henry IV. with Gregory VII. and Henry II. with Becket, which have evoked many learned disquisitions, there were frequent dissensions in the boroughs or cities of England and the Continent between clergy and laymen, to which historians have devoted little attention. These local conflicts are worthy of careful study, not only because they are concerned with questions of vital interest to the municipalities, but also because they exerted some influence upon national legislation and helped to prepare the way for the reformation of the church in the sixteenth century; for the fiscal and jurisdictional barriers of the church were assailed and broken down by the burgesses long before Luther assailed its doctrines.

Such conflicts were inevitable because the estate of a bishop or abbot within the town formed what was called in England a "soke", a privileged district with its own independent jurisdiction and its own laws or customs, a sort of state within the municipal state, a sanctuary from which the town bailiffs and tax-collectors were excluded; and within the walls of a town there might be several sokes of this sort.[1] Most frequently the dissensions between the rival authorities were caused by the sokemen's claim of exemption from the payment of burghal taxes and by their refusal to recognize the competence of the municipal courts over offences or cases in which they were concerned. The town authorities wished to assert

[1] Within the limits of the corporate authority of Canterbury there were still in 1835 about fifteen precincts exempted from its jurisdiction. *Municipal Corp. Com. Report*, 1835, p. 31.

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their control or supremacy over all the inhabitants within the walls, sokemen as well as burghers, to make all submit to the municipal courts and bear their share of taxes and other burdensome obligations.

Sometimes the struggle between the contending parties was so fierce that the king interfered. For example, in 1272 in a brawl with the servants of the prior of Norwich some of the citizens were killed, and the city coroner caused a warrant to be issued for the arrest of some of the prior's men. Thereupon the prior excommunicated the citizens, and, not content with the use of spiritual arms, his followers assailed the citizens and killed several of them. The men of Norwich retaliated by despoiling and burning the principal priory buildings, and by slaying many of the monks. Soon afterwards the prior gathered a body of armed men, who slew many of the citizens; the bishop of Norwich placed the city under the interdict; and Henry III. came to Norwich with his judges, who sentenced thirty-four of the chief offenders to be put to death, and he seized the liberties of the city.[1] Philip Augustus intervened in like manner at Noyon in 1223. The civic magistrates had arrested a servant of the chapter of Notre-Dame, and the city was placed under the interdict. Thereupon a mob of citizens, with shouts of "Commune! Commune!", demolished the gates of the cathedral and wounded some of the church officers.[2]

Many other examples of such jurisdictional contests might be enumerated,[3] but we are mainly concerned in this paper with an aspect of the subject regarding which information in the published sources is less abundant, namely, the attitude of the burgesses towards gifts or bequests of burgage lands to the clergy. Alienation of such lands in mortmain was regarded with disfavor by the burgesses mainly because the sokemen, the tenants of church estates in the towns, were usually exempt from taxes, and therefore grants of land to the church diminished the total amount of taxable property and tended to increase the tax-rate or to curtail the total municipal revenue. The question of the exemption of sokemen from the payment of tallages or direct taxes gave rise, however, to many bitter contests in the thirteenth, fourteenth, and fifteenth centuries. In 1402 the Commons complain that when tenths and fifteenths are levied the people of the church in cities and boroughs

[1] Blomefield, *Norfolk*, III. 53–58.

[2] Lefranc, *Histoire de Noyon*, 37–40.

[3] Green, *Town Life*, I. 190–192, 317–383; Pauffin, *Essai sur l'Organisation et la Juridiction Municipales*, 204–282; Lavisse et Rambaud, *Hist. Générale*, II. 460–461, 464–466.

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are unwilling to contribute their share;[1] and such opposition of the clergy to the demands of lay tax-collectors was supported by the canon law.[2] Sometimes the clergy were obliged to pay the taxes,[3] but they often succeeded either in maintaining their right of exemption[4] or in effecting a compromise by which only men or tenants of the church engaged in trade as merchants were tallaged.

Similar disputes arose regarding the payment of tolls or indirect taxes. The men of many boroughs and religious houses were exempted from tolls throughout the realm, and burgesses in their own town were either exempt or paid lower rates than others.[6] Therefore we should not expect that conflicts regarding the clergy's claim of this immunity would arouse such bitter opposition as did their claim of freedom from tallage, which placed the clergy in a more privileged position than the burgesses. But dissensions regarding tolls were frequent, and in some cities, especially on the Continent, they evoked much bitter feeling, because the clergy competed with the citizens in the sale of wine and other wares.[7] In the reigns of Henry III. and Edward I. the clergy of England claimed to be free from murage and other tolls.[8] This claim was

[1] *Rot. Parl.*, III. 503.

[2] Löning, *Das Testament im Gebiet des Magdeburger Stadtrechtes* (1906), 128. The bull Clericis Laicos, 1296, applied to *rectores civitatum* as well as to princes. Wilkins, *Concilia*, II. 221.

[3] *Historic Documents*, ed. Gilbert, 78–81, 360–361; Gilbert, *Cal. of Dublin Records*, I. 91, 133; *Abbreviatio Placitorum*, 212 (Grimsby); Hedges, *Wallingford*, II. 349; Morris, *Chester*, 134; *Cartul. S. Johannis de Colecestria*, ed. Moore, 506–508 (*cf. ibid.*, 28, 108); Blomefield, *Norfolk*, III. 47; Ryley, *Placita*, 259; Madox, *Firma Burgi*, 270–271; Zeumer, *Städtesteuern*, 81–82; Des Marez, *Étude sur la Propriété*, 175–178; von Maurer, *Städteverfassung*, II. 782–789, 863–868; Flammermont, *Hist. de Senlis*, 18, 142.

[4] *Borough Customs*, ed. Bateson, II. 203; *Historic Documents* ed. Gilbert, 247; *Rot. Hundred.*, I. 203 (Canterbury); Duncumb, *Hereford*, I. 304; Madox, *Firma Burgi*, 270. For the Continent, see von Maurer, *Städteverfassung*, II. 789–790, 864–868; Lau, *Verf. der Stadt Köln*, 239; Reinicke, *Gesch. der Stadt Cambrai*, 214; Labande, *Hist. de Beauvais*, 104.

[5] *Stanley v. Mayor of Norwich*, 6–10; Blomefield, *Norfolk*, III. 71; *Red Paper Book of Colchester*, ed. Benham, 42; Izacke, *Exeter* (1731), 12–13; *Cal. of Patent Rolls*, 1334–1338, pp. 15–19; Drake, *Eboracum*, 555; Madox, *Firma Burgi*, 271, 273; Gross, *Gild Merchant*, II. 140–141; *Rot. Lit. Claus.*, I. 345–346 (Bristol). For the Continent, see Keutgen, *Aemter und Zünfte*, 61–73; Espinas, *Les Finances de Douai*, 347–355; Lefranc, *Hist. de Noyon*, 137–140; Flammermont, *Hist. de Senlis*, 32–34.

[6] Gross, *Gild Merchant*, I. 43–44; Green, *Town Life*, II. 50–53; Davies, *Southampton*, 227–230; von Maurer, *Städteverfassung*, I. 309–318.

[7] Liebe, *Die Städte und die Kirche*, in *Neue Jahrb. für Klass. Alterthum*, 1901, VII. 216.

[8] *Papers from Northern Registers*, ed. Raine, 72; Matthew Paris, *Chronica Majora*, ed. Luard, VI. 362. *Cf. Stanley v. Mayor of Norwich*, 8; Morris, *Chester*, 124.

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sometimes successfully resisted in the boroughs.[1] Usually, however, it was allowed,[2] especially when the clergy or their tenants bought provisions for their own use, or sold their grain and other products of their lands; in short, when they did not buy and sell as professional traders.[3]

The town authorities soon perceived that to prevent loss through the exemption of church estates from taxation, the flow of gifts and bequests to the clergy must be checked. Accordingly on the Continent from the thirteenth century onward many municipal ordinances forbade all alienation of land or houses to the church.[4] In some towns it was enacted that land acquired by the church should be alienated to burghers within a year, or if it remained in the hands of the clergy should be subject to municipal law and taxes.[5] Another continental device to prevent loss by the *transformation des biens taillables en biens mainmortables* was the imposition of a heavy tax on property passing out of the hands of the burgesses.[6] We even meet with laws prohibiting the donation to the clergy of movables beyond a certain amount, or forbidding burghers to enter the church or church fraternities, for fear that their property might pass into the dead hand of the clergy.[7]

In England prohibitions to alienate burgage land and tenements to religious houses are mentioned as early as the second half of the twelfth century, and they become quite common in the first half

[1] *Shillingford's Letters*, ed. Moore, 138; *Cardiff Records*, ed. Matthews, I. 11; Lau, *Köln*, 238–239.

[2] *Cartul. S. Johannis de Colecestria*, ed. Moore, 28; *Red Paper Book of Colchester*, ed. Benham, 39; *Cal. of Patent Rolls*, 1334–1338, pp. 15–19; Drake, *Eboracum*, 555; Duncumb, *Hereford*, I. 297; *Chartularies of St. Mary's Abbey, Dublin*, ed. Gilbert, I. 135, 396–397; Geering, *Handel und Industrie von Basel*, 154.

[3] *Rot. Hund.*, I. 12, 356; *Cal. of Patent Rolls*, 1391–1396, pp. 423–425; Dugdale, *Monasticon*, IV. 314; Blomefield, *Norfolk*, III. 73; Merewether and Stephens, *Hist. of Boroughs*, I. 396–397; *Cardiff Records*, ed. Matthews, I. 11. See also Espinas, *Les Finances de Douai*, 355–358; Martin Saint-Léon, *Hist. des Corporations*, 138; Boos, *Städtekultur*, I. 437. At Aachen in 1349 the clergy of St. Mary's church were granted the right to sell wine without paying toll, but at Worms the claim of the clergy to exercise this right was bitterly contested. See Höffler, *Verf. der Stadt Aachen*, 14; Boos, II. 212; Arnold, *Freistädte*, II. 20, 335–337, 430–440; *cf.* von Maurer, *Städteverf.*, II. 866.

[4] Varges, in *Jahrbücher für Nationalökonomie*, ed. Conrad, 1895, LXIV. 518–520; Arnold, *Freistädte*, II. 177–178; Espinas, *Les Finances de Douai*, 348–355; Des Marez, *Étude sur la Propriété*, 160–161; Pertile, *Storia del Diritto Italiano*, IV. 386–395. The earliest prohibitions against mortmain in Germany seem to fall in the first quarter of the thirteenth century.

[5] Liebe, in *Neue Jahrb. für Klass. Alterthum*, 1901, VII. 216; Varges, 519; Arnold, *Freistädte*, II. 177–178; Des Marez, *Étude*, 161–163.

[6] Espinas, *Les Finances de Douai*, 223–226.

[7] Von Below, *Städtewesen und Bürgerthum*, 112–113.

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of the thirteenth.[1] Complaints were sometimes made by the burgesses regarding the extensive possessions in the grip of the dead hand. In 1275 the Hundred Rolls give the names of fifty-three religious houses having rents or tenements in the city and suburbs of Lincoln, the annual value of which amounted to about £196;[2] "these messuages used to be geldable, and liable for customs and services to the king and the city, but now they are withdrawn, to the great damage of the king and the city".[3] In 1276 a jury asserts that the abbot of Osney has acquired in Oxford and its suburbs tenements which yield about £300 in annual rents; they were wont to be tallaged, but now all tallages are withdrawn, so that the burgesses have paid £46 13*s.* 4*d.*, owing to the withdrawal of these and other tenements in the hands of religious houses. In like manner, the prior of St. Frideswide has acquired tenements yielding about 100 marcs, which are no longer subject to taxation, to the great loss of the burgesses.[4] Many other entries in the Hundred Rolls show that much land in the boroughs had been alienated to the clergy, and that this was felt to be detrimental to the interests of the king and the burgesses through the loss of taxes, rents, and escheats.[5]

Similar complaints were made in the fourteenth century. In 1312 the citizens of London sent a letter to the king regarding the cost of the repairs of the city walls, in which they say that "whereas in justice they ought to be levied from all those who have rents and tenements and movables within the city, (they) commonly fall upon one part of the citizens only, and not upon persons of the religious

[1] See below, p. 739.

[2] This valuation includes the rents and tenements of the bishop and canons of Lincoln.

[3] *Rot. Hund.*, I. 312–313, 316, 326. It is also affirmed (*ibid.*, I. 316) that these estates were wont to be tallaged with the citizens, but now it is claimed that they are free. One of the articles of inquiry on which the returns in the Hundred Rolls are based is: "De feodis militaribus cujuscumque feodi et terris aut tenementis datis vel venditis religiosis vel aliis in prejudicium regis et per quos et a quo tempore" (*ibid.*, I., introd., 14).

[4] *Ibid.*, II. 36. Six other religious houses had real property in Oxford which yielded rents amounting to about £55.

[5] *Ibid.*, I. 120, 131, 352, II. 1, 2, 79–80, 356–360, etc. At Cambridge, according to the Hundred Rolls, the canons of Barnwell in 1279 had about 390 acres of arable land. Maitland believes that this estimate is too low, and says that more than half the strips in the Cambridge fields went to religion (*Township and Borough*, 63, 159; *cf. ibid.*, 69, 149–158, 161). Gifts to religious houses in rural parts of England are also mentioned in the Hundred Rolls, II. 304–305, etc. The brethren of the Hospital of St. John of Jerusalem are accused of taking men under their protection in order to make them free of toll (*ibid.*, I. 83, 96, etc.). The complaints in the Hundred Rolls may have influenced the legislators who made the statute De Viris Religiosis in 1279.

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orders and others who have franchises by charter and in almoign, to the amount indeed of the third part of the rental of the said city. And such persons are not willing to give any portion thereof or any aid or contribution or any assistance thereto, although they are saved just as much throughout the said city as the rest of the citizens.''[1] In 1327 the mayor and commonalty of Canterbury tried to force the convent of Christ Church to contribute to the expenses of twelve knights for the king's service. The citizens say that the prior and convent have within the franchise £200 of rent and five acres of land, which were at all times contributory to the city; and they threaten to demolish their mills, to prevent any one from selling provisions to them, and to resort to various other measures of reprisal, if the monks persist in refusing to be taxed for the expenses of the twelve knights.[2] In 1331 a jury asserts that it would be to the damage of the king and the citizens of Norwich if he should allow three messuages in the city to be assigned to the convent of the Holy Trinity, because a great part of the city which is inhabited is in the hands of this convent and other religious houses, whereby the inhabitants (of the monastic lands) cannot be taxed to the tallages and aids of the king and the city, and they cannot serve on juries; therefore the citizens are burdened and grieved more than usual by such gifts, to the great detriment of the farm of the king and of the citizens.[3] In 1394 Richard II. confirms an agreement made in 1262 by the bishop and the citizens of Hereford, allowing those who dwell in the city on the lands of the bishop and canons to buy and sell quit of toll, provided that they are not merchants (*excepta gente de advocaria*). In return for this concession the bishop, dean, and chapter agree that in the future they will not acquire any of the king's burgages in Hereford, but that they will be content with the lands and tenements which they had in the city before this agreement was made.[4]

The attitude of the burgesses toward the alienation of land in mortmain is clearly stated in the old laws and usages of Dublin

[1] Riley, *Memorials of London*, 98. William II. grants that the canons of St. Paul, London, shall hold the twenty-four hides which they have in or near the city of London (*juxta civitatem*) free of all gelds, and this charter was confirmed by Henry I. *Hist. MSS. Com.*, IX. 45, 60.

[2] *Literae Cant.*, ed. Sheppard, I. 212–221. Each of the malcontent citizens swore that he would have from the shrine of St. Thomas a gold ring for every finger of both hands.

[3] *Stanley v. Mayor of Norwich*, 24–25. In a declaration of the old customs of Waterford, made in 1574, it is stated that a great part of the land in the city belongs to "the church and to inheritors not dwelling within the same". *Hist. MSS. Com.*, X, pt. v. 333.

[4] *Cal. of Patent Rolls*, 1391–1396, p. 423.

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and Waterford, which were set forth about the year 1300. Every citizen, it is here declared, may devise lands or rents within the bounds of the city to his heirs or friends, except to houses of religion and to persons unable to aid the city in time of need. No one shall give a rent of assize to a religious house, for if the rent is not paid within a certain period, the religious can get possession of the tenement, to the disherison of the heirs and of the city. If every citizen were to do this, the city might soon in large part pass into the hands of the clergy. For when religious houses enter upon property, they do nothing for the town (in payment of tallages and customs), the heirs are reduced to poverty, and the city is deprived of young men for its defence in time of war.[1] In 1224 the archbishop of Dublin agrees that his men who enjoy the liberties of the city shall be tallaged with the citizens, and that the latter are to have their court concerning lands which hereafter shall be bought, given, or bequeathed to the archbishop or to his clergy;[2] and a papal letter of 1261 complains that the ecclesiastical judge is impeded when he tries to compel the execution of wills of citizens who have bequeathed houses or burgages to any church or religious body.[3]

That the hostility of the burgesses and their lords to the alienation of land in mortmain was widespread in England and Ireland is evidenced by the following references to charters of liberties containing prohibitions of sales, gifts, or bequests to religious houses or to the clergy:

Agardsley, 1263: *English Hist. Rev.*, XVI. 334.
Altrincham, 1290: Ingham, *Altrincham*, 71, 73.
Bolton-le-Moors, 1253: *English Hist. Rev.*, XVII. 292–293.
Burton-on-Trent, 1273: *Archæol. Assoc. Journal*, VII. 424.
Cambridge, 1313: Cooper, *Cambridge*, I. 74.
Chard, 1230: *Cal. of Patent Rolls*, 1281–1292, p. 216.
Congleton, *c.* 1272: Ormerod, *Chester*, second ed., III. 36.
Haverfordwest, 1219–1231: *English Hist. Rev.*, XV. 518.

[1] *Historic Documents*, ed. Gilbert, 247, 262 (*cf. ibid.*, 261, 263); *Borough Customs*, ed. Bateson, II. 95, 202–203 (*cf. ibid.*, II. 101, 201–204).

[2] *Historic Documents*, ed. Gilbert, 81; Gilbert, *Cal. of Dublin Records*, I. 90–91. *Cf. ibid.*, I. 133; *Rot. Lit. Claus.*, I. 570; *Historic Documents*, 360–361.

[3] *Chartæ Hiberniæ*, 30; *Historic Documents*, 173, 177. In 1197 John, earl of Mortain, grants to the canons of the church of St. Thomas, Dublin, all burgages that have been given to them or shall be given to them of which they have or shall have the charters of donors; and the canons are to have one burgage quit of all customs (tolls), tallages, and demands, except land-gavel and pleas of the crown. See *Chartæ Hiberniæ*, 8; *Cal. of Charter Rolls*, II. 387. In Dublin, Waterford, and Drogheda the Templars or Hospitallers were to have only one man or messuage quit of common customs (tolls). *Chartæ Hiberniæ*, 14; *Historic Documents*, 54, 133.

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Kells, *c.* 1210: *Chartæ Hiberniæ*, 16.
Kilkenny, 1202–1210: *ibid.*, 34.
Knutsford, *c.* 1292: Ormerod, *Chester*, second ed., I. 489.
Leeds, 1208: Wardell, *Leeds*, app., p. iv.
Leek, *c.* 1214: Sleigh, *Leek*, 16.
Macclesfield, 1261: Earwaker, *East Cheshire*, II. 460.
Newport (Monmouthshire), 1385: *Archæologia*, XLVIII. 440.
Okehampton, before 1162: Bridges, *Okehampton*, new ed., 160.
Pontefract, 1194: *Hist. MSS. Com.*, VIII. 269.
Salford, *c.* 1230: Tait, *Manchester*, 67.
Scarborough, 1253: *Cal. of Charter Rolls*, I. 417.
Shrewsbury, 1205: *Rotuli Chartarum*, 142.
Stockport, *c.* 1260: Tait, *Manchester*, 66-67.
Thomastown, *c.* 1210: *Borough Customs*, ed. Bateson, II. 93.
Warton, 1246–1271: *English Hist. Rev.*, XVII. 294.
Wells, 1174–1180: *Archæologia*, L. 351; *cf. ibid.*, LI. 103.
Wexford, 1317: *Chartæ Hiberniæ*, 47.

In most of these charters the burgesses are granted power "to give, sell, and pledge" or "to give, sell, and bequeath" their lands, houses, or burgages[1] except to monks (*exceptis viris religiosis* or *exceptis domibus religiosis* or *nisi in religionem* or *nisi religioni*). In the charters of Agardsley, Bolton, Burton, Chard, and Stockport the Jews are also excepted. At Warton the exception covers "religious men, clerics, and Jews"; at Chard, "religious houses or churches".[2] At Cambridge and Newport the burgesses are allowed to bequeath lands and tenements except "in mortmain". At Chard and Wells burgages could be alienated to the monks with the consent of the lord of the town (the bishop of Bath and Wells); at Scarborough, with the consent of "the community" of the borough. The charter granted to Shrewsbury contains a direct prohibition: "quod nullus burgensis aliquod tenementum det domui religiose ad detrimentum servicii nostri". This and the grants to Cambridge and Scarborough are the only royal charters in our list;[3] the others were granted by barons or prelates.[4]

The information contained in these charters is supplemented by

[1] Rents are also mentioned in the grants of Chard, Newport and Scarborough.

[2] The "chief lord" of the fief is also excepted in the charters of Knutsford and Stockport.

[3] The king was less liable to sustain loss through gifts in mortmain than other lords, because most of the royal boroughs had *firma burgi*.

[4] The grants of Chard and Wells were made by the bishop of Bath and Wells; that of Burton by an abbot; the other charters in the list emanate from baronial lords. The charter of Burton bestows power of alienation "exceptis omnibus viris religiosis aliis a domo nostra de Burthon".

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some passages in borough customals,[1] and by a clause found in grants of land allowing the same to pass to the grantee's heirs or assigns, excepting men of religion or religious houses.[2]

This anti-clerical movement in the boroughs is of some importance for national as well as local history, especially as regards its relations to the Statute of Mortmain (1279). This statute forbade any monk or other person (*religiosus aut alius*) to buy and sell or receive any lands or tenements whereby they may come into mortmain. The statute intimates that the earlier laws on this subject had been ineffective. The Charter of Liberties of 1217, ch. 43, had provided that no one was to give land to a religious house resuming it to be held of that house, and the Provisions of Westminster (1259), ch. 14, had enacted that religious men were not to enter the fee of any one without the licence of the chief lord from whom the property was held.[3] The statute of 1279 seems to apply to the secular clergy as well as to the monks, and was so applied by Edward I. and his successors;[4] but the contemporary chroniclers speak of it as though its application was limited to the monks,[5] and the Articuli Cleri, issued between 1279 and 1285, request that it should not apply to the secular clergy.[6] The movement in the

[1] Besides the restrictions on alienation in the customals of Dublin and Waterford (above, page 738), see those in the customals of Godmanchester, 1324, Scarborough, 1348, and Hereford, 1348. *Borough Customs*, ed. Bateson, II. 97, 201; *Municipal Corp. Com. Report*, 1835, p. 2838. In 1298 a jury declares that, according to the custom of Scarborough, every tenant may, on his death-bed, devise his tenements to whomsoever he will, except to religious men. *Yorkshire Inquisitions*, ed. Brown, III. 93; *cf. ibid.*, I. 220.

[2] London, 1181–1222, *Hist. MSS. Com.*, IX. 1, 50; Grimsby, Hen. III., *Rot. Hund.*, I. 291; Bath, 1250–1260, King and Watts, *Records of Bath*, app., p. xvii; Canterbury, 1269, *Cal. of Charter Rolls*, II. 123; Lynn, *c.* 1271, Parkin, *Freebridge Hundred*, 125; Nottingham, a lease, Edw. I., *Records of Nottingham*, ed. Stevenson, I. 364; Dublin, 1284, 1290, Gilbert, *Cal. of Dublin Records*, I. 103, 106; Rye, Wycombe, and Dartmouth, Edw. I., *Hist. MSS. Com.*, V. 505, 559, 599–601, 606. This restrictive clause also appears in some manorial grants of arable land. *Ibid.*, XV. pt. x. 131, and *MSS. of Duke of Rutland*, IV. 70; Roper, *Church of Lancaster*, 395; *Yorkshire Inquisitions*, ed. Brown, II. 91. Some of these burghal and manorial deeds also forbid alienation to Jews. *Cf.* Bracton, f. 13, ed. Twiss, I. 104.

[3] Stubbs, *Select Charters*, 347, 404, 458; *cf. Close Rolls*, 1227–1231, p. 88. In 1258, at the Parliament of Oxford, the barons prayed remedy that men of religion may not enter the fees of earls, barons, and others without their will, whereby they lose forever their wardships, marriages, reliefs, and escheats. Stubbs, *Select Charters*, 383. The Statute of Marlborough, 1267, re-enacted the Provisions of 1259, but omitted ch. 14.

[4] *List of Inquisitions ad Quod Damnum* (Public Record Office, Lists and Indexes, No. 17). The statute Quia Emptores, 1290, repeats the prohibition of 1279 without limiting it to the religious. See also Fleta, bk. III., ch. v; Statute of Westminster II., ch. 32. Even the enactment of 1217 was applied to "any ecclesiastical persons". *Close Rolls*, 1227–1231, p. 88.

[5] *Annales Monastici*, ed. Luard, II. 392, III. 282, IV. 282, 479; Cotton, *Historia Anglicana*, ed. Luard, 158; *Flores Hist.*, ed. Luard, III. 53.

[6] *Papers from Northern Registers*, ed. Raine, 78; "ubi dicitur manum mortuam ibi oportet suppleri scilicet predictorum religiosorum."

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towns was directed primarily against the monks; the seculars are rarely mentioned in the prohibitions against alienations in mortmain.[1] Already in the time of Edward I. it became customary, however, to petition the king for licence to alienate real property either to regulars or to seculars, and permission was freely granted in return for the payment of a "fine".[2] But some of the boroughs claimed the right to substitute the licence of the town authorities for that of the king.[3]

Finally, attention should be called to the fact that the prohibitions in the boroughs against the acquisition of real property by religious houses preceded national legislation on the same subject. We find such prohibitions in the boroughs long before 1217, and many examples of the more stringent legislation of 1279 are found in town charters during the century preceding Edward I.'s statute.[4] Though this statute seems to have been passed mainly to safeguard the lords from the loss of their escheats and services, a precedent for such legislation existed in the boroughs and may have exerted some influence on the minds of the law-makers in 1279, just as in Germany the municipal prohibitions of grants in mortmain were copied by the territorial princes.[5] Because "the living hand was lively"[6] in the boroughs, the pressure of the dead hand was felt there earlier than elsewhere; and agitation to relieve this pressure began in the portmote earlier than in parliament.

CHARLES GROSS.

[1] See above, p. 740 (especially the charters of Chard and Warton), and *Hist. MSS. Com.*, IX. 1. The customal of Godmanchester, 1324, mentions "priests, religious men, or any foreigner"; at Hereford, 1348, tenements may be bequeathed "preter in manum mortuam". *Borough Customs*, ed. Bateson, II. 97; *Municipal Corp. Com. Report*, 1835, p. 2838. Some grants of land made by the clergy to laymen contain the restriction that it is not to pass to any religious house. *Hist. MSS. Com.*, IX. 50; Parkin, *Freebridge Hundred*, 125. In 1269 the citizens of Canterbury gave land to Thomas of Sandwich, cleric, to be held by him and his assigns "not being religious houses". *Cal. of Charter Rolls*, II. 123.

[2] See *List of Inquisitions ad Quod Damnum; Year Book 32–33 Edw. I.*, ed. Horwood, 499. For the power of the king to grant licence, see also Britton, ed. Nichols, I. 227; Fleta, bk. III., ch. v.; *Statutes of the Realm* (1810), I. 111, 131, 302.

[3] This right was claimed by Scarborough, Winchelsea, Rye, and Hastings. *Borough Customs*, ed. Bateson, II. 201–202; Lyon, *Dover*, II. 355, 375; Holloway, *Rye*, 146. A royal grant of 1327 allows the citizens of London to bequeath their tenements in mortmain; Lincoln and Bristol also claimed to have this custom. *Historical Charters of London*, 53–54; Madox, *Firma Burgi*, 23; *Borough Customs*, ed. Bateson, II. 202; *Ricart's Kalendar*, ed. Smith, 97. For alienations in mortmain with the consent of the town council, on the Continent, see Löning, *Das Testament im Gebiet des Magdeburger Stadtrechtes*, 125–127.

[4] See the list of charters, above, p. 739.

[5] Arnold, *Freistädte*, II. 178; von Maurer, *Städteverf.*, I. 400.

[6] Maitland, *Township and Borough*, 63.

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NICHOLAS FULLER: A FORGOTTEN EXPONENT OF ENGLISH LIBERTY

In 1604, Nicholas Fuller, barrister at law of Gray's Inn, opposed the royal measures in Parliament, and offended the King by his caustic utterances. When the Puritan ministers were deprived in the following year, he sought to block the episcopal proceedings against them by attempting to transfer their cases to the common law courts. Finally, he impugned the authority of the High Commission; declared it illegal; denied in fact the existence of the royal prerogative under which the letters patent to the Commissioners had been issued; and maintained his contentions in the face of the High Commission, the common law courts, the Privy Council, and the King himself. Fuller was thus one of the first men of great ability who persistently employed their energy and talents in constitutional opposition to the Crown. It is true that Peter Wentworth, in known contravention of Elizabeth's wishes, had demanded liberty of speech in the House of Commons in 1576; that the election of Sir Francis Goodwin to Parliament for Buckinghamshire had furnished the pretext for a quarrel between the King and the House of Commons which had momentous constitutional results; and that two years later, John Bate, a London merchant, took to law the question of the import tax on currants. Yet in none of these cases was there actual constitutional opposition to the Crown. Wentworth invoked only an ethical right, Goodwin took no part in the dispute which bears his name, and Bate had requested and had received an authoritative decision of what the law was, but made no further attempt to avoid its application. It remained for Fuller in 1607 to attack the King's prerogative more explicitly. When defeated on one ground, he resumed the struggle upon a second, and then upon a third, until James and Salisbury began to think they would never silence "the graceless rogue". In truth, he has a place in English constitutional annals and in the long fight of Parliament against the Crown, because he voiced in his speeches, perhaps for the first time in such unmistakable fashion, the political theories which Hakewill and Coke developed into a system and which Pym and Hampden finally carried to victory in the Long Parliament.

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When Fuller was arrested in 1607 by the High Commission for impugning its authority by his speeches in defence of Ladd and Mansell, he was already a marked man. A barrister of standing and a member of Gray's Inn, he sat in James's first parliament and had made his presence felt by his activity in committees and on the floor of the House. He had declared himself in favor of delaying the subsidies of which the King stood in such dire need.[1] He had presented bills complaining of pluralities and non-residence among the clergy of the Established Church, and urging that all ministers be limited to one cure and be required to reside upon it.[2] When the Puritan ministers were deprived in 1605 for their refusal to conform to the canons of the church he spoke in the House in their favor and attempted to defend them in the courts.[3] Bate's case and the imposition on currants, a matter which James had much at heart, did not fail to stimulate Fuller to new exertions.[4]

But his greatest activity and most offensive conduct appeared in regard to the union with Scotland. King James, like most other Scotchmen, could ill brook derogatory flings at his country and the notorious poverty and quarrelsomeness of its people. He was furthermore eager to see that nation united to England and fondly hoped to bear in history the proud cognomen of peacemaker, as the king who had buried the old feuds by a bloodless conquest. But the English people as a whole did not look with favor on James's plans, and none was more outspoken in expressing his reasons than was Fuller. In committee and on the floor of the House he vigorously fought the new union. He likened England to a rich pasture surrounded by a fence and pictured the Scots as lean and hungry kine roaming eager-eyed along the boundary, seeking an opening. He dilated upon the dearth of good things which Englishmen would experience when that hungry herd from the North entered the rich fields by a broad and open gate.[5] There was not room in England for a single Scotchman, he declared. The fact that Fuller had expressed the sentiment of the majority of Englishmen did not render him less objectionable to James and his councillors.

Fuller's activity in Parliament by no means exhausted his energy. Inclined to Puritan doctrines himself, he placed his legal learning at the disposal of such of his co-religionists as were unfortunate enough to come into contact with the courts. Deprived ministers and laymen captured at conventicles were in the habit of seeking

[1] *Commons Journals*, I. 276.
[2] *Ibid.*, 286.
[3] *Ibid.*, I. 285.
[4] *Ibid.*, 294.
[5] *Ibid.*, I. 334.

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his advice in hope of finding some legal loophole by which they might escape the impending sentence.[1] Ladd, the client whom he was defending when he delivered the speech against the High Commission, was a Puritan layman caught at a conventicle. In the month previous to the audacious outburst which so nearly proved fatal to him, (April, 1607), Fuller had only just missed coming into conflict with the Commission on a similar case. That body had summoned some twenty persons in Yorkshire to appear at London to answer various charges against them, and on their failure to come had imposed a fine upon them, as was provided by the ordinary process of the Commission. Fuller, whom the delinquents retained as their counsel, at once made a motion in their favor at the bar of the Exchequer, asking for a writ of habeas corpus from that court, which if granted would have freed them for the time at least from the Commission. He seems also to have made a similar request in the King's Bench. In one or the other court he had hinted pretty broadly that he did not think the commissioners were competent judges in such matters and that at any rate their use of the oath *ex officio* seemed to him flatly illegal; on examination before the Commission, he had maintained his position and was told that if he continued to express such opinions to the derogation of that body, he would be imprisoned in short order.[2]

Fuller, therefore, must have known that he was by no means an insignificant man who could say what he pleased with little chance of its being noticed by those in authority. Yet with the threat of the archbishop still ringing in his ears, he possessed so unusual a degree of courage that he proceeded to deliver in public within a month an even more scathing arraignment of the High Commission. This speech was therefore no chance effusion uttered in a thoughtless moment by a man of no standing and caught up and prosecuted by a querulous and tyrannical government.[3] It was another of a

[1] Papers found on Melancthon Jewel, a fanatical Puritan arrested in December 1604, contained a memorandum "To shewe Mr Nicholas Fuller what the Bishop proclaymeth of hime, and to requier his verie beste." State Papers, Domestic, James I., X., no. 81.

[2] *The Argument of Nicholas Fuller in the case of F. Lad and R. Maunsell, his Clients. Wherein it is plainly proved that the Ecclesiastical Commissioners have no power, by vertue of their commission to imprison, or put to the oath ex officio or to fine any of his majesties subjects* (London, 1607; reprinted, London, 1641), pp. 22–23. This evidence comes from Fuller himself, and seems trustworthy. But inasmuch as the tract was published by Fuller's friends long after he was imprisoned in hope of exciting public sympathy in his favor, it is just possible that this may be a distortion of a real occurrence inserted to show that the Commission was persecuting him.

[3] Such has been the ordinary view taken of Fuller's case.

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long series of overt and unqualified attacks upon the plans of the government by a man who had many times demonstrated his animus and his ability to accomplish whatever he undertook under its spur.

Thomas Ladd, Fuller's new client,[1] was a merchant of Yarmouth, and had been tried in the ecclesiastical court at Norwich for attending a conventicle at the house of one Jackler, a nonconformist minister, who had been deprived for his refusal to observe the canons of the church. The record of his institution at Norwich shows that he had conformed in 1603, and that he possessed no degree of any sort from any university. He was therefore neither a consistent nor a learned man. Ladd declared in his defence that he and his friends had held no conventicle, inasmuch as they only met privately to go over the sermon preached on Sunday morning by the minister of the Established Church; but there can be little doubt that those present added statements of their own and that the meeting was in strict law a conventicle. This however was not the issue in the case. Ladd had made some difficulty about taking the oath *ex officio*, and after he had testified and a considerable discrepancy between the various answers became apparent, he was summoned to Lambeth upon a charge of perjury. There he refused to take the oath *ex officio* at all unless he was first allowed to peruse the answers he had made at Norwich. The procedure of the High Commission made it impossible to grant this request and he was therefore committed to prison, March 29, 1607. Fuller's other client, Mansel, a nonconformist minister, had been arrested as one of the movers of a petition to the House of Commons, which the government thought offensive, and having also refused to take the oath *ex officio* unless he was allowed to see the charge against him, was likewise imprisoned.

At this juncture, Fuller was retained as counsel for the two prisoners and at once took charge of the case. He soon procured

[1] The authorities for this most interesting episode are (1) Lansdowne MSS., 1172, f. 97, which is the only trustworthy source for the dates and actual facts. It purports to be a full report of the case and contains a long Latin account of the events leading up to Fuller's commitment by the High Commission, then quotes the writ of committal in full in English, then gives in Latin the consultation issued by the King's Bench, and closes with some further notes of the case in Latin. It was probably prepared either for use at the hearing before the King's Bench in September, 1607 on the consultation on the prohibition, or was employed by Hobart in the hearings on the habeas corpus in November, 1607. It is just possible that it was prepared by a newswriter and circulated for information. In any case it is far more trustworthy than (2) the tract entitled *The Argument of Nicholas Fuller*, which is only an ex-parte statement by Fuller's own friends, which we know omits much that he admitted he said, and which adds more which it is reasonably certain he did not say.

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from the King's Bench writs of habeas corpus for the two men (April 30, 1607) and secured May 6 as a date for the hearing. In his argument, he proceeded to prove[1] to his own satisfaction at least, that his clients must be released because the High Commission had no legal authority to imprison them. That court, he declared, was based upon the statute of 1 Elizabeth, c. 1., section VIII., which gave to the commissioners only such power as the bishops of the Church had possessed before the passage of that statute. By references to acts of Parliament, and by somewhat questionable deductions and analogies from them, he sought to demonstrate that the bishops had never had authority previous to 1559 to fine or imprison. The Commission therefore could possess such a power, he asseverated, only by an act of Parliament, and the statute of 1 Elizabeth, the only one which could legalize the exercise of such authority, did not sanction it. He then read the act in court and interpreted it for the edification of his audience. Finally he proceeded to compare the extensive powers which every one knew the Commission employed, with the grant of authority to them in the act, and pointed out in voluminous detail and with many comments derogatory to the Commission, the discrepancies between the two. He paid little attention however to the fact that the royal letters patent which the statute did authorize, conferred on the High Commission by express language or by implication every power it put in practice. It was enough for him that the statute itself did not directly make any such comprehensive grant.

His argument was offensive enough, but his comments[2] made it "smell to heaven". He declared that the manner of proceeding in the commission was "popish"; that "the ecclesiasticall jurisdiction was Anti-Christian" and "not of Christ but of Anti-Christ"; that the power of the Commission was being used to suppress the sacrament and true religion. To his mind, the bishops "did proceede in these dayes by taking an ell whereby they had but an ynch granted them, and in examining men upon their oathes at their discretion

[1] Exactly what Fuller said at these two hearings is very difficult to determine satisfactorily. The indictment of the High Commission against him given in Lansdowne MSS., 1172, does not detail his speech but only recounts the points to be used legally against him. The tract which is ostensibly the actual speech he delivered, is certainly only a speech which he drew up (if he ever wrote it at all) after these two hearings, for use before the twelve judges in September, 1607 (Hatfield MSS., 124, f. 59). The tract was printed in December, probably without his knowledge (Hatfield MSS., 124, f. 81). Nevertheless, the main legal contention there set forth may be accepted without much hesitation as the substance of what he said on May 6 and June 13 much expanded and embellished, and with many significant omissions.

[2] These are to be found only in Lansdowne MSS., 1172.

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and indiscretion as such their dealings were now lamentable". The oath they administered tended "to the damning of their souls that take it". Men were imprisoned whenever the commissioners saw fit, and "they detained them in prison as longe as they list". Having said this much and more on May 6 and finding himself still at liberty, he took heart and at the second hearing on June 13 launched forth upon a further set of diatribes which capped the climax of his "insolence". He did not scruple to hint that the commissioners embezzled all the fines they collected and were in process of extending their authority so as to embrace every branch of criminal and civil law. The judges of the King's Bench, before whom this remarkable argument had been delivered, debated among themselves, but made no decision in the matter, and instead reserved the case for further hearing before all the judges. But Fuller never argued the question further, for he was taken into custody by the High Commission. His indiscretion in making such virulent comments caused the main point which he had raised—the illegality of the High Commission—to drop out of sight, and with it disappeared Ladd and Mansel, whose fate we do not know.

Dr. Gardiner states[1] that Fuller procured from the King's Bench for Ladd and Mansel a consultation, "a modified form of prohibition". There is however no statement in any of the authorities that the court took any action at all beyond ordering a new hearing before the assembled judges, which, according to Fuller himself,[2] was certainly commanded, for which Fuller prepared the speech afterwards printed, but which hearing never was held, inasmuch as Fuller himself was a prisoner when the court met in September. Furthermore a consultation was not a modified form of prohibition, but the authoritative annulling of a prohibition by the court which had issued it. On "consultation" with the lawyers from the court prohibited, the judge perceived that he had issued the prohibition wrongly and authorized the court prohibited to proceed as if no such writ had been issued. A consultation could only follow a prohibition, and could in no case issue as an original writ, as Dr. Gardiner elsewhere infers. Moreover as Ladd was before the King's Bench on habeas corpus and not upon prohibition, the court either must remand him to prison or free him altogether; there could be no half-way procedure. Dr. Gardiner seems to have confused the consultation issued to Fuller himself in September on the prohibition he procured in July for himself, with the action taken by the King's Bench in Trinity Term on the habeas corpus granted in April to Ladd.

[1] *History of England*, II. 37.
[2] Hatfield MSS., 124, f. 59.

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The High Commission acted promptly and arraigned Fuller in July[1] upon a long list of "scandalous" things he had "factiously and falsely" affirmed "to the slander of the Church, to the hardening of the Papists" and "to the malicious impeachment of his majesty's authority in Causes Ecclesiasticall". The case was heard before Bancroft, the archbishop, Ravis, bishop of London, and other leading men of the High Commission. Fuller however had been not less prompt than the commissioners, and before the case could be put through the necessary legal stages preceding sentence he had procured a prohibition from the King's Bench. This writ, granted by Justices Fenner and Croke in the vacation after the close of Trinity Term, forbade the Commission to proceed further against Fuller on the ground that the case should properly be heard in the King's Bench.[2] Pending the return of the prohibition and argument in its defence (which because of the long summer vacation of the courts could not be heard till late in September) the matter perforce rested. Although the High Commission could not convict Fuller, he none the less spent the intervening months in jail at the White Lion, Southwark.

When the news of Fuller's daring and its consequences reached James and his counsellors, they were angry indeed and were besides in a measure apprehensive of further developments. Lord Salisbury, the secretary of state and practical ruler of England, wrote to Sir Thomas Lake, the secretary in personal attendance upon the king, that Fuller's actions would end by affecting the stability of the government—"noe monarchy beeinge able to stand where the Churche is in anarchy". The "absurd" action of the judges in granting such a man a prohibition for so slender a reason had, he thought, "given so apt occasion to make a president for the like mischeife as in the effect thereof may be well resembled to fayre fruite gathered from rotten trees".[3] James, too, feared evil results if the au-

[1] Fuller was protected until July 4, when Parliament was prorogued, by his parliamentary privilege; he was present in the Commons on July 1, so cannot have been imprisoned until the second week in July.

[2] Dr. Gardiner states that Fuller was not imprisoned or proceeded against by the High Commission till November; but Lansdowne MSS., 1172, says explicitly that he was arraigned early in July (just after the close of Trinity Term), and in that same month secured a prohibition from the King's Bench. Here again Dr. Gardiner repeats the curious error that a prohibition and a consultation are the same. Fuller's own statement (in a paper that could hardly have been written later than the following March, 1608) that he had been in jail nine months, exactly tallies with this reading. He was certainly released for good in April, 1608, and could not have spent nine months in jail between November, 1607, and March, 1608.

[3] Hatfield MSS., 124, f. 135, July?, Salisbury to Lake. Draft.

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thority of the Commission was seriously impeached. Constitutionally timid, the discovery in succession of Watson's Plot, Cobham's Affair, and the Gunpowder Treason, had led James to fear an outburst of anarchy from almost any source. "I praye yow," he wrote to Salisbury with his own hand somewhat later, "forgette not Fullers maitter that the ecclesiasticall comision maye not be sufferid to sinke besydes the euill desairtis of the uillaine, for this farre darre I prophecie unto you, that quhen soeuir the eclesiasticall dignitie together with the Kings gouuernemente thairof shall be turnid in contempte and beginne to euanishe in this kingdome, the kinges heirof shall not long prosper in thaire gouuerment and the monarchie shall fall to ruine, quhiche I praye god I maye neuer liue to see and so fairwell."[1]

In due time the judges returned from the summer circuits, and toward the end of September resumed their duties on the bench at the opening of Michaelmas term. One of the very first matters brought up was the prohibition issued to Fuller. In view of the importance attached to his attack on the Commission, the judges of the King's Bench took counsel upon the prohibition with the judges of the Common Pleas and with the barons of the Exchequer. The practice of the King's Bench rendered such a writ valid to stay proceedings in the Commission only until an argument could be had before the bar of the court upon the respective rights of the two jurisdictions to take cognizance of that particular matter. Only two courses were properly open to the judges: they could uphold the prohibition and thus declare their sole right to adjudicate the case, which was in fact what Fuller wanted; or they could issue a consultation annulling the prohibition and giving the High Commission leave to proceed. The latter would practically be a confession that they had acted hastily in forbidding the Commission to proceed against Fuller, that they recognized the Commission's right to hear the suit, and therefore licensed them to conclude the case as if no prohibition had ever issued. When opinions had been exchanged, it developed that the judges were divided: some wished to maintain the very letter of the prohibition, others wished to annul it altogether, but in the end, after much argument, and after probably several propositions had been submitted in writing for settling the difficulty, they agreed to issue a consultation.

It was a curious document, that writ of consultation, drawn up

[1] Hatfield MSS., 134, f. 126. Holograph. October 19, 1607. Dr. Gardiner gives this date (*History of England*, II. 39) as "November 7". But the letter is plainly endorsed on the back in Cecil's own hand: "The K. to me. October 19, 1607."

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early in October, 1607.[1] In one sense it deprived the Commission of authority, in another it fully recognized the whole of its contentions. The Commission was authorized to proceed "with all due and proper speed according to your ecclesiastical authority against the schism, heresy, impious error or pernitious opinions of the aforesaid Nicholas Fuller". In truth, although these phrases seemed to deny power to proceed in the present instance against Fuller, who was indeed accused of slander and contempt and not of heresy and error, they nevertheless did sanction action by the Commission, for several charges concerning heresy and schism had been included (probably by chance) among the counts of the indictment. In any case, if the commissioners were the sole legal interpreters of the language of the consultation, it would have been plain enough from their standpoint that Fuller's views were, to say the least, "pernicious opinions". The gist of the consultation contained, therefore, nothing to hinder the Commission's action.

Having finished the usual form of consultation, the judges added several sentences in the nature of explanations and qualifications. "Nor is there any question by us made, of the authority or validity of the letters patents to you and to others directed, nor of the exposition of the statute of 1 Elizabeth, nor of certain scandals or other matters which by the Common Law and the Statutes of this Realm of England are to be punished or concluded." Technically of course these phrases were not part of the consultation and were merely declaratory of the opinions of the judges. The innuendo therefore in the last clause insinuating that Fuller could be tried only at common law even for the slander of the High Commissioners was of no legal effect, and if it might have been, the two preceding clauses completely nullified it, inasmuch as they declared valid the letters patent

[1] The consultation will be found in Latin in Lansdowne MSS., 1172, f. 97. The wording in the text is an attempt to render it freely in the legal English of the period. It was certainly issued late in September or early in October before Fuller's conviction by the Commission (it must be borne in mind that he had been simply arraigned in July) and not, as Dr. Gardiner states, in November after his conviction. Dr. Gardiner also treats the document printed in 12 Coke's *Reports*, f. 41, as the actual consultation. In an article in the *English Historical Review* for October, 1903, the present writer has stated his reasons for regarding as highly suspicious anything in that volume of the *Reports* which does not fully agree with the evidence from other sources. But in this case the document is so long and rambling and so devoid of legal form that it can hardly be credited as against the one in the Lansdowne MSS. It is not on the face of it a consultation, but an argument why the consultation should contain certain limiting clauses. There is no proof that it was more than a private memorandum of Coke's own ideas, and there is no reason at all to suppose that it was ever meant to have legal effect. There is just enough similarity between it and the Lansdowne paper to make it reasonably certain that both refer to the same event.

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and the commissioners' exposition of the statute of 1 Elizabeth, both of which contained ample authority to try slanders of all descriptions whether against the Commission or not.[1] In fact the consultation contained so many mutually contradictory phrases and so many antagonistic claims that it could hardly be considered to have placed a limitation upon the Commission's powers. By refusing to support Fuller's appeal and assume jurisdiction of the case themselves, the judges had abandoned him to the discretion of the High Commission.

Despite the confused phrasing of the writ, the ecclesiastical authorities attempted to follow its letter and spirit, in order to give Fuller and the judges themselves no cause for complaint. They therefore arraigned him for schism and erroneous opinions and probably on October 20 or 21 convicted him, fined him £200, and sentenced him to imprisonment during pleasure.[2]

But Fuller had by no means exhausted the resources of the common law, and found the judges ready to assist him in pushing the matter still further. His counsel applied to the King's Bench for a habeas corpus[3] which should force the keeper of the prison where Fuller lay to produce him at the bar of the King's Bench and state his authority for detaining him. The habeas corpus issued in the first week of November, raised a new question for the judges to decide: was the unquestionably regular process of commitment used by the High Commission legal by strict law? The argument over the prohibition had debated the respective rights of the Commission and the King's Bench to punish Fuller for his slander of the former court which he had uttered in a pleading before the latter. Now

[1] Just at this time the common law courts were trying to draw all cases of slander from the ecclesiastical judges to their own tribunals.

[2] 12 *Reports*, 44. This happened before November 14, because on that date Fuller's fine was granted to John Patten of the king's closet. State Papers Domestic, Docquet, November 14, 1607. On October 19 the King wrote to Salisbury to bear in mind Fuller's case (Hatfield MSS., 134, f. 126.) and on October 23 Lake wrote to Salisbury that the King was "exceedingly well pleased" about "the prohibition". (Hatfield MSS., 122, f. 150.) When Fuller's case came up again it was on a habeas corpus. Hence this trial would seem to have come on October 20 or 21.

[3] Dr. Gardiner here inserts the famous altercation between Coke and the King in which the chief justice told James that he was not fitted to understand the law of England by the ordinary rules of reason, and that the King himself was in fact protected by the law. The present writer has attempted to show in the *English Historical Review* for October 1903: (1) that the date in 12 Coke's *Reports* is a year out of the way: (2) that the account he gives of the affair is at least partially wrong, if we can judge from the holograph notes in Lansdowne MSS., 160, taken by Sir Julius Caesar while the debate took place; as well as from other contemporary letters; (3) that the whole question at issue was that of the legal status of tithes. The affair therefore did not grow out of Fuller's case and had nothing to do with it.

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however Fuller brought to the fore precisely the question which he had argued in the objectionable speeches that had first embroiled him with the Commission—the right of that court to commit him to prison at all. He made no charge that the process used was irregular, that he was committed for a crime for which others were not detained, nor that the Commission possessed no such authority in its letters patent. He virtually declared it illegal and asked confirmation of his opinions from the King's Bench.

This movement brought him into collision with the state. Hitherto, James and Salisbury had been interested observers of the case, concerned lest it should take a dangerous turn. They were now perfectly satisfied that the affair had gone far enough. It was high time they took a hand in the matter if they were to prevent the discrediting of the Commission by so "euill" a "uillaine" as Fuller. James considered his prerogative threatened and in fact there could be no question that he was right in so thinking. Stripped of its legal technicality, Fuller's argument said nothing less than that the letters patent gave the Commission a power which the statute of 1 Elizabeth did not confer upon the king, and which therefore he could not delegate to a Commission. Both Elizabeth and James had issued such letters patent, and if they had done so, as Fuller claimed, without authority either from their prerogative or from statute, they had committed a grave illegality; and what was worse, if the contention was true, the crown did not possess an important ecclesiastical prerogative which it had long exercised. James was therefore literally right in asserting that his prerogative was at stake. While apparently arguing merely that the High Commission had illegally imprisoned one Nicholas Fuller, the lawyers would be in reality debating whether or not the king possessed the power to create such a High Commission as his letters patent of 1605 specifically sanctioned. It was James's unshakable opinion that "the absolute prerogative of the Crown" was "no subject for the tongue of a lawyer", nor was "lawful to be disputed."[1] He therefore directed Salisbury to take charge of the

[1] *Works* of James I. (London, 1616) p. 550.—The case was duly appreciated and followed outside the court. On November 22, William Walton met George Knight at Paul's; "Howe nowe Mr. Walton, said Knight, do you thinke to carry away the cause betweene you and Mr. Ponde in this manner from my Lorde of Canterburie round before the judges of the King's Bench. . . . the Lorde Archbyshopp I warrant you will bring the same therethence againe in spight of their teethes. . . . His Grace had allready committed one Fuller to the Fleete and so would them (*i. e.*, the judges of the King's Bench) if they would not grant a consultation." Walton's Deposition. State Papers, Domestic, James I., XXVIII., no. 94.

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defence of "his honour", and see that no argument took place over his prerogative: Hobart, the attorney-general, was ordered to argue against Fuller in support of the High Commission and to prevent any dispute as to its legality or illegality.

On Tuesday, November 24, 1607, the warden of the Fleet Prison brought Fuller to the bar of the King's Bench as the habeas corpus required.[1] The court room was thronged with an interested audience, for the case had by this time attained a certain amount of notoriety. When the warden had presented the warrant for Fuller's commitment and when the document had been read, Fuller declared that he wished to except to it, "both in matter and forme". In the first place he had not spoken the words with which it charged him; secondly, if he had, he had uttered them merely "by way of argument" for his client, a fact which he thought ought to be taken into account, and of which he found no mention in the return. It seemed essential to him, he said, that the return should state the truth and that it should do so in proper form. He therefore excepted to it as insufficient.

Hobart, the attorney-general, argued on the other hand, that the King's Bench had no authority to examine the facts of the case in order to determine whether or not they justified any action at all, for that court had recognized in its own consultation that it had no right to try the substance of the charge against Fuller, and therefore no jurisdiction to decide whether or not the facts of the case supported the warrant. If the warrant alleged a good prima facie cause of imprisonment and had been made out in due form, it was sufficient in law, he declared, to keep Fuller in the Fleet. Unless it showed on its face that the Commission had proceeded against him in a manner forbidden by the consultation, the judges must declare it valid. He then compared the return with the consultation and showed beyond doubt that the two agreed. With this argument, which was in truth good law, the judges were satisfied and remanded Fuller to prison. In their opinions, they added, wrote Salisbury to James, "larg profeshions how much it became them in duty to eschew any blemishe to such a commission", and made in fact no scruple of declaring that they believed he had uttered all the words charged against him, and that he ought to be punished for such an offence. Fuller was completely defeated, but he was not yet overwhelmed. He said that he had been without counsel to defend him and begged for a new hearing where he might be privileged

[1] Hatfield MSS., 124, ff. 137 b, 138 a. Salisbury to the King. Holograph draft, corrected. This was the report sent off that evening to James, who was outside London, hunting.

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to have lawyers on his behalf. After a good deal of hesitation, the judges granted the request, expressing at length their surprise at his continued intractability and their hopes that when he returned he would make a complete submission instead of aggravating his offence by new obstinacy.

The judges' apprehension of further insolence from Fuller was shared by James and Salisbury, both of whom believed that too much consideration had already been shown so graceless a rogue. To them, the writs of habeas corpus to Ladd and Mansel, the prohibition and consultation, and then the habeas corpus to Fuller himself, seemed to point either to an opinion among the judges that the High Commission was illegal, or to the judges' desire to expand their jurisdiction regardless alike of the character of the cause they espoused or of the effects of their acts upon the safety of the state. When, therefore, after refusing to maintain three such writs in succession, the judges allowed Fuller a new hearing and gave him, contrary to all common-law precedent, the privilege of counsel, James was frankly puzzled. He strongly suspected them of some purpose of their own which boded ill to him and his prerogative and which they would stick at nothing to accomplish. For the nonce, however, he found scant confirmation of his fears.

The second hearing took place on Thursday, November 26.[1] Quick to appreciate the legal situation, Fuller saw that he must attack not the substance but the form of the warrant whose validity was the present issue, and he was keen enough to direct his counsel to cling fast to their legal exception and say nothing about the illegality of the Commission or the substance of his case before that court. His lawyers therefore argued that the warrant, to be good, must show on its face that the Commission possessed from the King sufficient authority to fine and imprison Fuller. According to the return the Commission had imprisoned Fuller because of schism and heresy and had left it to be assumed that it possessed sufficient authority for its action. Although there could be no doubt, continued the lawyers, that it had the authority, and although the judges themselves might know it, they could not take legal cognizance of it unless that fact was expressed in the return. The judges were visibly impressed with this argument, which was at least specious. In his reply, Hobart met the objection by stating that the contents of royal letters patent and of the statutes of the realm were public and did not need to be pleaded specially and mentioned in every act performed under their authority, for it was part of

[1] Our sole authority is again Salisbury to the King. Draft corrected by Salisbury himself. Hatfield MSS., 123, f. 59. November 28, 1607.

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the judges' duty to keep themselves informed of the contents of such documents. This argument won the day and the judges remanded Fuller to prison for good and all.

But they wove into their speeches various statements of political theory which, with Fuller's pamphlet, later published, mark the case as important in the annals of English constitutional history. They declared that "they were one of the Kinges strongest armes", and dilated upon their own importance and dignity. They hoped, they said, that all men who had spoken disrespectfully of their authority would "learn and understand" that the temporal courts possessed a perfect right to grant prohibitions, and intended to continue issuing them whenever they saw fit. Their intention to grant them in instances like Fuller's was expressed in the declaration that all prohibitions issued in the past had been properly granted.

When the news reached James, who was hunting outside London, he was at once pleased and displeased. So satisfactory was the settlement of the case to him that he sent profuse thanks to all who had labored to bring it about, especially to Chief Justice Coke of the Common Pleas, who had been playing the mediator between the Commission and the King's Bench. But he declared and

> bownd it with an oath that the judges hed don well for themselfes as well as for him for that he was resolued if they had don otherwise and mainteyned their habeas corpus he wold haue committed them. And uppon that point which your lo: mentioneth of their declaration that they wold grant prohibitions he spake angrily that by their leaves they should not use their libertie therein but be prescribed.[1]

Fuller returned to the Fleet prison and soon began to try what could be accomplished toward freeing himself by his own submissiveness and his friends' importunity. After the second hearing he had intimated to Hobart while still in the court room, that "*if* he had offended" he was sorry and begged pardon, but was at once assured that such conditional submissions were of no avail and that a complete retractation of his words without "ifs" and reservations was required. Within a week after his recommitment, he forwarded to the archbishop a submission which seemed at the moment likely to satisfy all parties.[2] To prepossess the authorities in his favor, his wife journeyed down to Newmarket over the bad roads, to present a petition to James on her husband's behalf. Lake and other officials, getting a sight of it, persuaded her to redraft it into less enigmatical shape. She presented the altered petition

[1] Hatfield MSS., 123, f. 55 (November 27, 1607, Lake to Salisbury, holograph); and Hatfield MSS., 123, f. 66 (November 30, 1607, same to same).

[2] *Ibid.*, f. 90 (December 9, 1607, holograph, same to same).

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to James just as he was starting out on the hunt. The king, in good humor at the prospect of his favorite sport, received it good-naturedly, remarking that he was glad Fuller was penitent.[1] The lady returned to London to importune Salisbury in the same manner.

Fuller himself was a chief bar to his own freedom, for after all he refused to make the final submission required of him. Moreover his wife and friends, for some inexplicable reason, secured from him a retractation of his first submission,[2] and then, as if they had not thereby placed him in sufficient jeopardy, proceeded with unaccountable stupidity or rashness to publish about the middle of December some of his letters written since his confinement, and a pamphlet which purported to be the very speech for which he had been fined and imprisoned by the High Commission. If they believed that these documents would start a wave of public opinion in his favor which would compel the government to release him, they totally miscalculated the number of Englishmen who favored Fuller's views, and failed to see the hopelessness of reaching them. In truth they only placed him in greater danger, for while no one gave serious attention to the pamphlets, the government visited its wrath upon Fuller.

Fuller, however, insisted that he knew nothing of the printing of the speech, and after examining him thoroughly, the attorney-general concluded that he was telling the truth.[3] To show his penitence, Fuller at once wrote to the archbishop and to the Company of Stationers to urge the suppression of the pamphlet.[4] He further claimed that (as was evident enough) it was not the speech that he delivered, but another that he intended to use when he was incarcerated. However that may have been, the pamphlet stated on its title-page that it was the very speech for which Fuller had been fined and imprisoned, but it contained not one syllable of the disrespectful words about the High Commission which had really caused his punishment and added a great many highly offen-

[1] Hatfield MSS., 123, f. 90 (December 9, 1607). On December 10, Fuller's fine was taken from Patton to whom it had been granted, apparently because it had been remitted. State Papers, Domestic, Docquet, December 10, 1607.

[2] Chamberlain to Carleton, January 5, 1067/8, State Papers, Domestic, XXXI., f. 2.

[3] Hobart to Salisbury, Hatfield MSS., 124, f. 81, undated. Dr. Gardiner places this letter in January, 1607/8, but it seems to belong here. Chamberlain says distinctly that Fuller's friends published several books in December, and Hobart speaks here of "any of the books" and later mentions twelve; whereas Whyte, on whose letter in Lodge, *Illustrations*, III. 225, Dr. Gardiner depended, mentions but one book.

[4] Fuller's Submission, Hatfield MSS., 124, f. 59.

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sive statements regarding the royal prerogative which it seems fairly certain he never uttered before either the High Commission or the King's Bench. In general, moreover, it displayed Fuller as a learned and conservative lawyer, seeking truth and justice, and as a valiant defender of English liberty. In fact it made him seem like a worthy, patriotic man oppressed by a tyrannical government, which he had provoked by revealing its misdeeds. And posterity, satisfied to derive its information from the same source, has held almost universally a similar opinion of him.

Fuller was represented as declaring that "the lawes of England are the High Inheritance of the Realme by which both the King and the subjects are directed". "Without lawes, there would be neither King nor inheritance in England, which lawes . . . are so fitted to this people and this people to them as it doth make a sweet harmonie in the government." The law, continued this remarkable document, which is equally important and equally a landmark whether Fuller wrote it or not, "admeasureth the King's prerogatiue so as it shall not extend to hurt the inheritance of the subjectes. And the law doth restrayne the liberall words of the King's grant for the benefit both of the King and the subjects and to the great happines of the Realme, especially when the Judges are men of courage, fearing God, as is to be proved by many cases adiudged in these Courtes of King's Bench and Common Pleas, which Courtes are the principall preservers of this high inheritance of the law." The king might not dispense "with the common law nor alter the same . . . nor put the subjects from their inheritance of the law . . . which was alwayes accompted one of the great blessings of this land, to have the law the meatyeard and the Judges the measurers. For in all well governed Commonwealthes, Religion and Justice are the two principall pillars wherein the power of God appeareth."

These phrases alone suffice to give this pamphlet, and Fuller's case, a place in English constitutional history, for these are among the very first enunciations, if not the first, of that great theory of English constitutional law and history which Hakewill was to use so effectively in the case of Impositions in 1610, and which St. John was to render ever memorable in the great case of Ship Money in 1637. Some of the best known sentences attributed to Chief Justice Coke might be almost a quotation from this pamphlet. The brochure became so well known and was so much admired by the radical party that it was reprinted in 1641 as a manifesto of the Great Rebellion.

Whatever may be the historical importance of this pamphlet,

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certain it is that it was intentionally printed to give an entirely false view of Fuller and of his treatment by the High Commission. He was by no means innocent of reprehensible conduct, and the High Commission was not guilty of harsh or unusual measures toward him. Considered from the point of view of modern ideas on free speech and general leniency toward criminals, the punishment was both severe and unwarranted. But we give such a judgment because we believe it wrong to fine or imprison anyone for his utterances and because most historians would say that Fuller told the truth when he said that the High Commission was illegal. At that time, however, literally no one advocated free speech, and very few indeed, and those mostly men of Fuller's stamp, had any doubts in regard to the legality of the High Commission in the year of grace 1607.

In view of the provocation, the government treated Fuller with much leniency. None of the letter-writers of the time would have been surprised to have seen him "shrewdly handled", but he was allowed to pay his fine about December 30,[1] and after some further trouble over the form of his submission, he was released on January 8, 1607/8.[2] Soon after, a new book appeared "on the discipline of the Church" which the government suspected emanated from Fuller, and therefore January 20 found him a close prisoner of the Privy Council in the custody of the Dean of St. Paul's Cathedral.[3] Late in February or early in March, he drew up another submission[4] which was apparently satisfactory, for about April 10 he was released under bonds to secure his good behavior, and licenced to practise at the bar till his case had been heard in the Star Chamber.[5] In July following the matter was not yet concluded and in August it was still dragging along.[6] In the fall of the year 1608, Fuller was probably freed.

Thus by the hand of chance, Nicholas Fuller became famous for a speech which he never delivered and which he perhaps did not write in the form in which posterity has read it. He has been called a martyr to the cause of liberty, when, in reality, judged by

[1] Chamberlain to Carleton, December 30, 1607, State Papers, Domestic, James I., XXVIII., f. 128. Remitted December 10, the fine seems to have been reimposed after the appearance of his books.

[2] Chamberlain to Carleton, State Papers, Domestic, James I., XXXI., f. 4. January 8, 1607/8.

[3] Lodge, *Illustrations*, III. 225. Hatfield MSS., 124, f. 59.

[4] This is connected with the paper in Hatfield MSS., 124, f. 59.

[5] Additional MSS. (British Museum) 11402. Abstract of Privy Council Register, under the date April 10, 1608. The original register is lost.

[6] Notes by Bacon, July 25, 1608. James Spedding, *Life and Letters of Francis Bacon*, IV. 53; August 6, 1608, *ibid.*, IV. 95.

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the standards of the time, he committed a serious offence and displayed considerable disrespect for authority. Still, every one who pleads against injustice couched in the forms of law must appear as a disorderly and factious person. On the other hand, many seem to feel that the High Commission was at liberty to decide whether or not it would proceed against Fuller. Yet it is clear that it had no choice, for if it was legally a court, it had no other recourse than to proceed against a man who denied its right to exist. To have tamely allowed Fuller to go unchallenged after three such public offenses, would have meant that the High Commissioners themselves believed their powers illegal. It is one of the fundamental maxims of law that no court can entertain any plea against its own legality, nor under any circumstances fail to do its uttermost to punish the offender, for its own existence is at stake. In reality there comes at such times an irreconcilable clash between the conscience of the man pleading for liberty and the undoubted duty of the court he questions. He feels himself impelled by the forces within him to cry in the spirit of Luther at Worms, "I cannot do otherwise." But the court at whose bar he stands owes a duty to society which is not less plain: the judges may sympathize with his plea, but they know that their only duty is to apply the rules of the institution as they find them. Not on them but upon the past generations that created the institution rests the responsibility. Whether or not the nation would have been happier had that institution never been evolved, time alone can prove, and at any rate they have no right to decide so momentous a question. As against the sanction of the whole community, comes the cry of this one individual, with nothing to prove him a herald of a great future and not a harbinger of evil. The safety of society demands that the burden of proof rest upon him who desires a change.

The barrister of Gray's Inn was therefore in the wrong; yet if he sinned, he sinned gloriously. He did oppose the wishes of the king in a truly constitutional manner, claiming the laws of the land as his defence; the cause he espoused became in later years the popular standard; his ringing words heartened the members of the Long Parliament in their belief in the righteousness of their cause. The name of Nicholas Fuller thus deserves to live not as that of a victim of the petty tyranny of a querulous government, but as one of the earliest of those great men who freed Parliament from the yoke of the Crown.

ROLAND G. USHER.

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THE RISE OF MANUFACTURES IN THE MIAMI COUNTRY

THE rapid advance in the development of manufactures between the date of the Embargo, 1807, and the close of the War of 1812, was one of the results of our strained foreign relations in the early period of our national existence. In the beginning, this industrial expansion was confined to the Atlantic States, but by the close of the period the movement had extended to the West, and it was well under way before the steamboat introduced a new economic factor by furnishing cheap transportation for the imports and exports of the Mississippi valley. The rise of industries in the West, however, was based on conditions different from those that existed in the East; and, in spite of the conscious effort to imitate the East, their development proceeded along lines peculiar to the needs of the Westerners. It is the purpose of this article to point out the difference between conditions in the West and those in the East, and to present the growth of industries in the Miami Country during this early period as an illustration of the development of manufactures under primitive conditions in the West. The Miami Country, it may be explained, is the region drained by the Great Miami and Little Miami Rivers, and includes an area of about 5000 square miles most of which is within southwestern Ohio. Our study will extend to 1817, when Captain Shreve's steamboat *Washington* made the trip from New Orleans to Louisville in twenty-five days and thus ushered in the steamboat era.

With the possible exception of the settlement at the headwaters of the Tennessee, the motive that impelled emigration to the West was economic, and in every instance the basis of development was agricultural. Four centres of settlement in the Ohio valley—the Blue Grass region of Kentucky, the Muskingum valley, the Miami Country, and the Scioto valley,—were selected by the pioneers because of their productiveness and general desirability from an agricultural standpoint. A fifth centre, Pittsburgh, at the confluence of the Allegheny and Monongahela rivers, became important at an early day because its situation made it the chief point of debarkation for the farther West. The early economic development of each of these centres of population was distinctly colonial; hunt-

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ing, trapping, and agriculture were the only pursuits, and these occupations produced the only articles of export.

In the beginning settlers were largely dependent upon home-made utensils, furniture and clothing; but the production of a surplus soon furnished a means for the purchase of "store goods", and the pioneer merchant began to import manufactures from the Atlantic States and from Europe. Early in the history of pioneer communities, however, it is found to be inconvenient to depend entirely upon goods manufactured abroad, and the various centres of colonization in the Ohio valley did not furnish an exception to this rule. Besides, the long haul from the Atlantic Coast with primitive means of transportation was so expensive and inconvenient that it was soon found to be more desirable to import artisans than to import certain classes of manufactured goods. It was under these conditions, then, that manufacturing began in the West.

The history of manufacturing in the Miami Country may be divided into two periods. It will be seen that the limits of this article include the first and the beginning of the second period. The first period, extending from the beginning of settlement to about the close of the War of 1812, was characterized by household and small-shop industries. Practically no power machinery was used and no attempt was made to supply more than the demands of the immediate community. By 1815 the Miami Country had developed enough to support industries on a larger scale and the rise of mills and factories ushered in the second period of its industrial career. The industries thus established at the beginning of the second period continued to grow with the expanding commerce of Cincinnati and, within a few years, were supplying large quantities of manufactured goods to the Ohio and Lower Mississippi valleys.

We will first consider the character and extent of the industries established during the earlier period. It is probable that, outside of the simplest household manufactures, a tannery was the earliest industrial enterprise in the Miami Country; at any rate, we find a tanner advertising for an apprentice in the *Centinel of the Northwest Territory*, February 22, 1794. On October 3, 1795, George Kyler and Son, potters, begged leave to inform the public that they were carrying on the business of making potters' ware of all kinds at their shop opposite the printing-office. A little later the advertisement of a ropewalk appeared in the same paper. As early as 1799 blacksmiths, millers, saddlers, hatters, dyers, tanners, bakers, potters, gunsmiths, and cabinet-makers were advertising in the *Western Spy and Hamilton Gazette*. In 1804 James Ritchey es-

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tablished himself in the blue dyeing business and advertised that he also would conduct a school where reading, writing and arithmetic would be taught. James Dover apparently anticipated the coming Teutonic invasion of the forties by establishing what was probably the first brewery in Cincinnati; for in *Liberty Hall* of August 4, 1806, we find him advertising for five hundred pounds of hops, one thousand bushels of barley, and one thousand gallons of honey to be delivered at his brew-house. All told, eighty-one artisans were following various trades in Cincinnati in 1805: they were two printers, one bookbinder, fifteen joiners and cabinet-makers, eight blacksmiths, two coppersmiths, four hatters, three tanners, seven shoemakers, five saddlers, three silversmiths, seven tailors, five bakers, two brewers, three tobacconists and twelve bricklayers. This list indicates a somewhat rapid industrial development for a settlement that ten years before needed the protection of a stockade.

By 1809 Cincinnati seems to have attracted a variety of workmen almost sufficient to meet the needs of the frontier metropolis. In that year the city was visited by John Melish, an observing and intelligent traveller, and to him we are indebted for a good account of the condition of manufacture at that time. After mentioning two cotton factories and some considerable breweries and distilleries, he also enumerated the following long list of artisans who found employment in Cincinnati: masons, stonecutters, brick-makers, carpenters, cabinet-makers, coopers, turners, wheelwrights, smiths, nailors, coppersmiths, tinsmiths, silversmiths, gunsmiths, clock and watchmakers, tanners, saddlers, boot and shoemakers, glove and breechmakers, weavers, dyers, tailors, printers, bookbinders, rope-makers, tobacconists, soap-boilers, candle-makers, comb-makers, painters, pot- and pearl-ash makers, butchers, bakers, brewers, distillers, cotton spinners.[1]

Melish was sanguine in regard to the opportunities for the rise of manufactures in Cincinnati, but he made the mistake that many of her own citizens made in anticipating that the manufacturing expansion would be along the line of textile fabrics and glassware. Still, in consideration of the communication with the South that was beginning just then and the interest in sheep culture that was spreading to the West, it was not unreasonable to suppose that Cincinnati would soon become a centre of cotton and woollen manufactures. Of course, the influence of improved means of transportation and the great development in the water power of New England could not then be foreseen. Melish was also of the opinion that the manu-

[1] Melish, *Travels in the United States*, II. 126, 127.

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facture of pianos on a small scale would succeed,[1] but it was many years before the West demanded such articles in sufficient quantity to call for the manufacture of them in the Ohio valley. At that time, however, there was not a steam-engine in Cincinnati, and the only power machinery in the Miami Country was an occasional horse-power or ox-power mill, and the grist and fulling mills run by water power on the streams of that region. Even as late as 1814, a saw-pit was in operation and builders were using whip-sawed lumber in Cincinnati.[2]

Not until more than a year after the beginning of the War of 1812 was there a conscious effort to develop manufactures in the Miami Country; all industrial development that came was because of the natural demand of the community. Economically the region had not advanced far enough from a colonial condition to take part in any way in the rage for the founding of "infant manufactures" that prevailed in the East after the Embargo of 1807. There was hardly what we today should call a factory, although here and there might be found a proprietor of a shop employing several journeymen and apprentices. The craze for manufactures that arose in the East after the Embargo of 1807 resulted from necessity and patriotism, but, with the exception of Lexington and Pittsburgh, the various colonial centres of the West were hardly old enough to give attention to an extension of industries.

It may be well, at this point, to inquire what industrial development had taken place in the last-named towns before the War of 1812. Lexington was a manufacturing centre of considerable importance before 1808. After the export trade in flour which that section had enjoyed during the early Napoleonic wars was ruined for a time by the peace that followed the treaty of Amiens, Kentucky commenced to grow and manufacture hemp and this doubtless stimulated manufacturing interests in the vicinity of Lexington.[3] At that time the metropolis of the Blue Grass region was by far the most populous and progressive town in the lower Ohio River basin. It then produced annually sixty tons of nails, ten thousand dollars worth of copper and tinware, thirty thousand dollars worth of hats, thirty-six thousand yards of baling cloth, fifteen hundred gallons of linseed oil, seven thousand gallons of whiskey, and three hundred tons of cordage, as the output of forty-two shops and factories, employing two hundred and eighty-five workmen.[4]

[1] Melish, *Travels in the United States*, II. 127.
[2] *Liberty Hall*, June 21, 1814.
[3] McMaster, *History of the People of the United States*, III. 498.
[4] Cummings's *Tours*, in Thwaites's *Early Western Travels*, V. 181–189.

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Pittsburgh, however, was the leading industrial centre west of the Alleghenies before the War of 1812, and continued to be so for a few years after. In 1811, a large number of artisans were following some forty different occupations at this place; the principal industrial establishments were one steam flour-mill four stories high, two cotton factories, three glassworks, three breweries, three distilleries, two air furnaces, two steam-engine factories, four nail factories, one white-lead factory and seven tan-yards.[1] It is worthy of note that, although Cincinnati's list of artisans was long, as shown by previous enumeration, still we have no record of so large an output as was produced by Lexington; nor were the industries so varied and extensive as those of Pittsburgh.

By 1814 the rising tide of immigration, the difficulty of obtaining manufactured goods in the East, the great cost of the long haul, and the necessity of creating a home market to save the cost of exporting the increasing surplus of agricultural products, caused western people to think seriously of encouraging manufactures in their own region; and thus was ushered in the second industrial period of Cincinnati.

At this point it may be pertinent to our subject to consider the two-fold effect of the War of 1812 on the United States. In the first place, it gave us commercial independence, and from that time American interests were not considered from a European standpoint. No longer hampered by British Orders in Council nor by French decrees, we became interested in the internal development of our country rather than in our relations to England and France. On the other hand the long Embargo and the war had destroyed our commerce; and the Convention of 1815 left the United States unable to favor American shipping, and at the same time gave Great Britain full privilege to exclude us from the carrying trade of the West Indies.

As a result of these conditions, trade was at a standstill, shipping was idle, and men were out of work. Since the Embargo capital that had previously been engaged in commerce had found employment in the establishment of manufactures. The Embargo and the war had given them full protection, but in 1815 Great Britain was again free to flood American markets with British goods. Our infant manufactures could not compete with the cheap labor of Europe; and economic conditions combined with patriotism in asking for a protective tariff. In response to this demand, the Tariff of 1816 was passed, but it did not furnish the desired relief, for just

[1] Palmer, *Travels in the United States and Canada*, pp. 48, 49.

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at this time (the close of the Napoleonic wars) Great Britain was deprived of important European trade, and, as a consequence, her manufacturers sent large quantities of goods to the United States and found a method of "getting under the tariff" that was disastrous to American manufactures. The distress produced by this great importation was felt by manufacturers and their employees as far west as Pittsburgh, where, as we have seen, important industries had already sprung up.[1]

The economic depression that followed this importation gave impetus to the great migration that had begun early in 1814. With the advent of the newcomers into the West came also eastern ideas in regard to manufactures and British goods. We have already mentioned that the West was too new to take part in the movement for the establishment of manufactures in 1807; but eight years had made great changes. With the beginning of the great migration, the increasing population demanded a larger supply of manufactured goods; artisans as well as farmers emigrated, and the West in common with the East set up a clamor against English goods and made a demand for the establishment of home manufactures.

A contributor to the *Western Spy* said: "The enormous price which everything of foreign growth or manufacture bears at the present day must convince us that we cannot too soon commence our independence of other nations by growing and manufacturing for ourselves." He was pleased to see the spirit of independence diffusing itself throughout the country, especially this western country which could never reap the least advantage from importations. He declared also that if the spirited exertions which were then making in some of the larger towns, met with the support of the farming interests, the West would in a very short time be able to change the course of the current which for several years had swept the specie from the country. Nor were such hopes altogether unfounded. Companies were then formed or were forming for the establishment of manufactures at Pittsburgh, Frankfort, Lexington, Louisville, Cincinnati, and many smaller places.[2]

The economic reasons for establishing and maintaining home manufactories in the two sections were, however, radically different. In the East, infant manufactures were already established and their destruction by foreign competition would entail a large loss of capital. For this reason, domestic manufactures were needed in that section not only to insure industrial independence from Europe, but also to furnish employment to surplus labor and capital. In

[1] McMaster, IV. 344.

[2] *Western Spy*, January 29, 1814.

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the West, however, there were practically no industries of this sort to protect except those at Pittsburg and Lexington. Furthermore, the West had no surplus labor that might not have been employed profitably in clearing the forests and in agriculture. The East needed a protective tariff to keep her infant industries from going out of business, but it is doubtful if the West, even though she had had manufactures already established in 1816, would have felt the need of such protection to the same extent as the East. At any rate, the question seems not to have been considered an important one, as Cincinnati papers for the years 1815, 1816 and 1817 make no mention of a protective tariff, although the discussion of home manufactures occupies a prominent place. The influence of the steamboat had not yet been felt; and the long haul and primitive transportation of the time, combined with the poor monetary system of the country, would have furnished a large measure of protection to Ohio manufacturers, who found a home market for their product. In somewhat the same way, the farmers of the present day in the irrigated valleys of the Rocky Mountain region are protected by the long haul from the cheaper products of the Mississippi valley.

Let us see now what measure of protection these conditions of transportation and finance would have furnished. The necessary data with which to determine this accurately are not at hand, but we may at least arrive at a qualitative statement of the situation. The merchant who went East to purchase goods would spend about three months on a single trip. If he intrusted the transportation to a Pittsburgh forwarding firm, the commission was five per cent. It is true that Philadelphia merchants usually gave from six to seven months' credit, but they charged seven per cent. interest on all bills overdue.[1] Whether the western merchant paid cash or not, the interest on the money invested must be counted as an extra charge, for at least the time required to make the round trip and lay the goods down in Cincinnati. Insurance, of course, was a consideration, although it is probable that most merchants carried their own risks. Besides, Cincinnati bank-notes were usually received at a discount of about five per cent. in Philadelphia.[2] Again, the cost of transportation from Philadelphia to Pittsburgh was from six to ten dollars per hundredweight, and seven or eight dollars per hundredweight from Philadelphia to Cincinnati was probably about an average.

In addition to the regular charges, Cincinnati people felt that Pennsylvania freighters took advantage of the necessities of the Wester-

[1] Fearon, *Sketches of America*, p. 124.

[2] Fearon, p. 235; *Western Spy*, March 21, 1818.

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ners and put on extra charges for carriage whenever possible; it has been stated that they sometimes charged as much as eleven dollars per hundredweight for transportation from Philadelphia to Pittsburgh. One complainant, in particular, estimated that Cincinnati alone paid twenty-five thousand dollars annually to Pennsylvania freighters over and above a fair charge for carriage.[1] In 1816 a Cincinnati firm was offering goods wholesale at an advance of twelve and one-half per cent. on Philadelphia prices plus six dollars per hundredweight for carriage; but it is very doubtful if Cincinnati merchants did or could continue to sell on such a margin. At any rate, as a result of these charges, Cincinnati people were complaining that, on an average, they had to pay nearly double the Philadelphia prices for manufactured goods.[2] A measure of temporary relief was afforded, however, at the close of the war, when eastern towns were flooded with foreign goods and large quantities were sent down the Ohio for sale. The auction system was resorted to in Cincinnati, as it had been in the eastern cities, and for a time the western farmers were buying foreign merchandise for about one-third of what they had previously paid.[3]

In addition to the high price of imported goods the Miami Country labored under an equal difficulty in exporting its surplus agricultural products. The cost of transportation from Cincinnati to New Orleans was, on an average, only one dollar per hundredweight, as contrasted with a minimum charge of six dollars from Philadelphia; but the additional charges of marketing the produce of the region from the southern port were so great that Cincinnati prices were about one-half those obtaining on the Atlantic Coast.[4] The Westerners, therefore, reasoned that four bushels of corn at Cincinnati would buy what one bushel would buy at Philadelphia. Said one farmer, "I always feel a degree of regret when I see our wagons going to market with flour, pork, etc., and returning with the real trifling amount of merchandise for which the produce was bartered, . . . and I say to myself, who pays the price which at every turn is added to them?"

In view of these facts, then, it is not strange that Cincinnati and the Miami Country took little interest in the tariff controversy of 1816. Instead of this the people were making an effort to establish manufactures in order to escape the long haul and its attendant charges and, at the same time, build up a home market for agri-

[1] *Liberty Hall*, September 11, 1815.
[2] *Western Spy*, February 14, 1818; *ibid.*, February 28, 1818.
[3] *Western Spy*, February 28, 1818.
[4] *Liberty Hall*, October 16, 1815; Fearon, p. 249.

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cultural products. Pittsburgh manufacturers, however, were soon demanding an increase of the tariff on cotton and woollen goods, plate glass and certain iron products. Their industries were more developed, they were four hundred and fifty miles nearer the Atlantic ports, and they had a comparatively small quantity of agricultural products for export. In fact, they were actually importing bacon from Kentucky.[1]

It may be of interest to see how contemporaries viewed this question of establishing manufactures in the Miami Country. There were those who followed the lead of the East, and without good reason more than that of patriotism, were ranting against British goods because they were British goods. They forgot entirely that, so long as they had no manufactures of their own, it made very little difference whether they bought from Great Britain or from the eastern states.[2] More thoughtful men, as was natural, appreciated the true reason for the establishment of manufactures and used their influence to bring about the desired end. As an instance of this, we cite the following: Suppose, suggested a writer in *Liberty Hall,* that the country around Cincinnati produced six hundred thousand dollars annually, and that two hundred thousand dollars is consumed by our own inhabitants; another one-third is shipped to New Orleans to purchase sugar, coffee, cotton, molasses, and spices; another third is sent over the mountains in specie to purchase English goods. We ask candid men to inform us how and in what manner this kind of trade will increase the capital of the western country? We answer, that there is no increase whatever to our capital by the distribution of the products of the soil; one-third is eaten up annually by its inhabitants; one-third is sent out of the country to purchase British goods in Philadelphia and Baltimore and is discounted by a loss in exchange of paper; the other third is sent to New Orleans to purchase that which does not add to our national wealth, although it may be very necessary to our comfort and living. Sugar, cotton, and coffee we do want; but we can manufacture almost every article of British manufacture that we drag over the mountains at such enormous expense. It may be asked, how shall we find a remedy for this ruinous British trade, which embarrasses us so much; which drains us of our specie; which twice a year sweeps away every dollar which can be scraped up in Cincinnati, without adding to our wealth? We answer promptly and without delay: "Put in operation in Cincinnati manufactures for woollen cloth, for cotton cloth, for glassware of every descrip-

[1] McMaster, IV. 344.

[2] *Liberty Hall,* 1814, 1815.

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tion, for straw hats, and every article which [is] import [ed but] can be manufactured in Cincinnati. Let the two hundred thousand dollars which we send over the mountains be paid the manufacturers in Cincinnati for the above articles. This would keep so much of our wealth at home; thereby increasing its productive manufacturing industry. It would increase the value of lands and houses and support a greater population than we can now otherwise possibly support. This two hundred thousand dollars would be added to our capital every year and increased in a proportional ratio." [1]

Dr. Drake probably expressed the situation more clearly than any other contemporary when he said:

> To convert into manufacturers the hands engaged in clearing and improving a new country, would be a mistaken policy; and if adopted must soon correct itself. In the case in which a new country is contiguous to an older, of dense population, which can exchange manufactures for subsistence, it may even be advisable to defer manufacturing in the former to a late period. But where a new country must transport its surplus agricultural products to a great distance, and import the necessary manufactures from shops equally remote, it may be advisable to commence manufacturing much earlier. It must not, however, attempt to convert its farmers into tradesmen. They should be imported instead of their manufactures. The ranks of agriculture would then remain entire; the simple process of barter at home be substituted for expensive and hazardous commercial operations; and the immigrant manufacturers with their increase, become an addition to the population. The situation of Ohio seems to recommend this policy and it is already adopted.[2]

In answer to the question: "What articles can we manufacture to best advantage", one very popular reply was "Woollen cloth". As early as 1802 the United States minister to Portugal sent to his home in Connecticut one hundred merino sheep, and in a very few years sheep-raising and the manufacture of woollen cloth became important allied industries in New England.[3] The industry spread to Ohio and within a few years the farmers were raising wool, in limited quantities, but with so much success as to suggest the establishment of woollen manufactures in the Miami Country.

A writer in *Liberty Hall* declared: "We have the best climate and soil in the world for raising merino sheep. We can feed ten sheep to the acre for eight months in the year, while New England does not feed more than three or four sheep to the acre for seven months in the year. We can raise wool cheaper than it can be raised either in England or in New England." In support of this statement, he said that General Harrison, on his farm at North Bend,

[1] *Liberty Hall*, August 14, 1815.
[2] Drake, *Natural and Statistical View of Cincinnati*, p. 3.
[3] McMaster, III. 503.

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successfully fed eighty sheep for eight months on an eight-acre field. He supposed that each sheep would yield a profit of six dollars, or the enormous sum of sixty dollars per acre.[1] Of course, such statements cannot be permitted to pass unquestioned, but doubtless they were accepted as conclusive arguments by unthinking people of the time.

Another writer expressed it as his opinion, that it would be next to folly to cover the beautiful hills of North Bend with flocks of merino sheep if we neglected to establish manufactures to encourage the growth of wool. We must ourselves engage in manufacture; otherwise the enterprising farmer will not get a suitable price for his wool. If we do not, we must send the raw material over the mountains or to New Orleans to be manufactured, and then receive the same article back in a manufactured state greatly increased in value. In this case, the manufacturing industry would be lost to Cincinnati, the wool-grower would be discouraged and our capital would be decreased.[2]

The more sanguine ventured to say that within ten years the Miami Country would not only be supplying the home market with wool, but also would have large quantities for export. It is needless to state that their hopes were not realized, nor did Cincinnati become a centre of the woollen industry. On the contrary, the manufacture of woollens was limited from the beginning; for these men who made the prediction did not appreciate the fact, that of all classes of manufactured goods, textile fabrics probably would stand the highest transportation rate, and that other sections would prove to be more favorably situated for their manufacture.

Although the woollen industry in the Miami Country reached no great proportions, other manufactures were being established which furnished a basis for the future industrial growth of the region. That the manufacturing spirit began to manifest itself before the war was half over is shown by the fact that on July 4, 1813, there was offered the toast, "Our manufactures, a still small voice, but persistent and energetic." This may be attributed to the spirit of patriotism that wells forth on our natal day, or it may be attributed to the example of the East; but it is interesting to note that the same edition of the *Western Spy* that published the above toast contained evidence of a more positive character in the announcement of the Miami Exporting Company, wherein that company offered

[1] *Liberty Hall*, August 14, 1815.
[2] *Ibid.*

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"liberal and lengthy [*sic*] accommodation" to persons who were engaged in or had arranged to engage in manufacturing.[1]

A more substantial proof of confidence in the success of manufactures in the West than either of these incidents was then under way. In the opening year of the war, some gentlemen began the construction of a manufacturing plant which, for a time, was the wonder of the West in an industrial way. It was completed in 1814, and was known as the Cincinnati Steam Mill. It is worthy of attention as being both the first manufacturing enterprise in Cincinnati on a large scale, and the first to use steam power. The building was sixty-two by eighty-seven feet and one hundred and forty feet high, with walls ten feet thick at the base. Though designed for the manufacture not only of flour, but of woollen and cotton goods, flaxseed oil and several other articles, the principal business was the manufacture of flour, for which it had a capacity of seven hundred barrels per week.[2]

The growing population of the Miami Country and the increasing demand of the West for manufactured goods, combined with the example and success of the Cincinnati Steam Mill, gave such an impetus to projects for manufacturing as to bring about the beginning of numerous other industrial enterprises before the close of the year 1815. What may be termed household industries continued to grow with the increase of population, and along with these, but on a larger scale, may be enumerated the following. There were four cotton-spinning establishments run by horse-power, operating together twelve hundred spindles, while, in all, thirty-three hundred cotton spindles were in operation in Cincinnati. Ninety-one wool-carding machines and one hundred and thirty spindles were in use, and a woollen manufactory was then building that was expected to yield sixty yards of broadcloth per day. There also were two rope-walks, while two breweries not only supplied the home market, but sent large quantities of beer, porter, and ale down the river. Above the mouth of Deer Creek, the Cincinnati Manufacturing Company had extensive buildings and was engaged in the manufacture of various articles. With the exception of the large steam mill, already mentioned, the steam sawmill was probably the most important enterprise of the young metropolis.[3] It occupied a building seventy by fifty-six feet and its four saws had a capacity of eight hundred feet per hour. It was set in operation on July 4,

[1] *Western Spy*, July 10, 1813.

[2] Drake, *Natural and Statistical View*, pp. 137 and 146; Palmer, *Journal of Travels in the United States and Canada*, p. 72.

[3] Drake, *Picture of Cincinnati*, p. 147; Palmer, *Journal*, p. 72.

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1815, "amidst the anxious gaze of curiosity" on the part of Cincinnatians. A local paper announced that its performance equalled the most sanguine expectations, and it was hoped that it would prove essentially beneficial to the town and country, besides amply rewarding the proprietors for their public-spirited enterprise.[1]

The announcement of the completion of a sugar refinery early in 1816 furnished an opportunity for the editor of *Liberty Hall* to sum up the manufacturing situation in the following somewhat florid editorial:

> Thus we go. One improvement is only the harbinger of another. Scarcely have we got our steam mills into operation and our glass works in blast, when new enterprises are on foot. Surely it is a high gratification to see the comforts of life thus daily accumulating around us. We have now the pleasure of stating that the sugar refinery of Messrs. Burnet, Baum and Company is in successful operation, having commenced the process of refining New Orleans sugar in the course of the last month. . . . Thus within twelve months we have witnessed not only the general improvements of the town in the gradation of the streets, and the raising of many large, commodious, handsome brick dwelling-houses and stores, . . . but the erection also of the steam sawmill, . . . a fulling mill and brass foundry as adjuncts to the steam flour-mill, a large glass works, an additional and extensive soap and candle factory, and lastly a sugar refinery calculated to work up five barrels of sugar a week. Give us but a few towing steamboats to aid this spirit of enterprise, and
>
> "How ere long, our town shall rise
> With turrets sparkling to the skies;
> And shine in backwoods splendor dressed,
> The Great Emporium of the West."[2]

Through the influence of this spread of manufactures, William Green, in the next year, established the Cincinnati Bell, Brass and Iron Foundry. A year later he took into partnership William Henry Harrison, Jacob Burnet, James Findley and John H. Piatt, all men of the highest standing in the Miami Country. The works were soon greatly extended, and in a short time were in a position to do a large share of the manufacturing that the coming of the steamboat brought to Cincinnati.[3]

Other parts of the Miami Country were also active in establishing manufactures. On the Little Miami alone there were nearly forty mills, including two paper-mills.[4] Most of these were flour-mills or distilleries, for these two industries were frequently carried on together. As early as 1816, the Springfield Domestic Manufac-

[1] *Liberty Hall*, July 10, 1815.
[2] *Ibid.*, Feb. 19, 1816.
[3] *Cincinnati Directory* for 1819, p. 48.
[4] E. Dana, *Geographical Sketches of the Western Country*, p. 48.

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turing Company was establishing at Springfield and was advertising in *Liberty Hall* that their carding machines, fulling mills, and cotton factory were in complete operation. They charged six and one-fourth cents per pound for carding common wool, and twelve and one-half cents per pound for carding merino wool. Customers were informed that one pound of plain hog's lard must accompany every eight pounds of wool.[1]

These examples serve only as fair illustrations of the small manufacturing plants that existed in the various communities of the Miami Country and other parts of the West, and proved to be valuable assistants to the household industries that were carried on in every farm-house. The wool raised on the farm was taken to the carding machine and made into rolls about two feet long and one-half inch in diameter. These rolls were then taken home and spun into yarn, and the yarn was knit into stockings or woven into cloth. In the latter case, the product of the loom was taken to the fulling mill for finishing. Where possible, these mills were run by water-power, though others were operated by horse or ox-power; and even as late as the beginning of the last quarter of the nineteenth century, such a machine run by horse-power was carding wool for the farmers in the neighborhood of a village in Clermont County.

In consideration of the fact that the country was so new and so distinctively agricultural, the census of 1820 reveals a remarkably large proportion of persons engaged in manufacturing in the Miami Country. Persons following gainful occupations were divided into three classes; those occupied with agriculture, commerce, and manufactures. So we find that, in Butler County, twenty-five per cent. of the population so listed were engaged in manufacturing; in Warren County, twenty-one per cent.; in Hamilton and Clermont counties, twenty per cent. each; in Darke County, fifteen per cent.; in Greene and Champaign counties, fourteen per cent.; in Preble County, eleven per cent. We are probably safe in assuming that at that date the Miami Country outside of Cincinnati was almost entirely agricultural; therefore it would appear, that persons who were in any way engaged in household or shop industries were counted as being engaged in manufacturing; but even then, the percentage of those engaged in manufacturing appears to have been large. However, it may be taken as an indication of an effort on the part of the western people to supply themselves with manufactured goods without paying the high prices asked for the imported article. Further investigation probably would show that nearly

[1] *Liberty Hall and Cincinnati Gazette*, May 13, 1816.

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every community had its resident artisans who were, in a measure, supplying the local demand for manufactured goods.

This effort to establish manufactures in the West in order to avoid the expense and delay of long-distance commerce under primitive means of transportation, and to furnish a home market for farm products, was in a great measure successful. But it accomplished more than this. Its influence, politically, was to put southwestern Ohio firmly in line with Clay's American System, and that section did not long continue to show the apathy on the tariff question that seemed to exist in 1816. It also laid the foundation for the rapid industrial growth of Cincinnati that characterized the steamboat era, and thus did much to make her the chief city of the Ohio valley. By shaping this industrial growth to meet the demand of the southern planters, Cincinnati materially promoted that inter-dependence of North and South, which was the chief characteristic of Mississippi valley commerce during the steamboat era.

FRANK P. GOODWIN.

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CHIEF JUSTICE MARSHALL AND VIRGINIA, 1813–1821

CHIEF JUSTICE MARSHALL was a man of strong political convictions, and it is the political significance of his opinions which must ever receive the larger share of the historian's attention. Marshall's appointment to the high office he so long adorned was most unwelcome to Virginia, for it was expected that Ellsworth's successor would be nominated by Jefferson. Judge Spencer Roane, son-in-law of Patrick Henry, a stanch and trusted Republican leader, was "slated" for the position.[1] A timely resignation of the Connecticut chief justice opened the way for resolute John Adams to fill this most important position with the ablest of Southern Federalists; but from the day of Marshall's appointment to the end of Jefferson's life the Sage of Monticello planned for the removal of the great judge or for the essential curbing of the powers of his court. Two bitterer political enemies never lived within the bounds of the Old Dominion than Jefferson and Marshall.

When, fourteen years after Marshall's appointment, he came into collision with his own state, Virginia was Jefferson's pocket borough, and few men, John Randolph alone excepted, ever held important office at the hands of her people against his wishes. The Old Dominion was held firmly in the grasp of the Republican organization; and the Supreme Court of Appeals, presided over since 1803 by Roane, was probably the most important wheel in the political machine. Its members were all men of real distinction, well trained and masters of constitutional law both American and English. One of them, William H. Cabell, had been Jefferson's protégé; all had had a hand in the elevation of the first Republican president. Roane was the court's chief ornament, and Republican Virginia boasted that her own chief justice was an abler lawyer and statesman than Marshall himself, whose ability, however, was never questioned.

Roane was a close student of the law after the "Coke on Littleton" style;[2] he was familiar with the writings of Grotius, Locke and Montesquieu, and an ardent admirer of George Mason. He had been a leader of the Henry forces in 1788 when the great

[1] *Virginia Law Register*, II. 480.

[2] *Branch Historical Papers*, II. 1, 6.

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fight against the national Constitution was made and lost;[1] and there can be no doubt that he never quite forgave Marshall and Madison for their work on that occasion. After the election of Jefferson he seems to have acquiesced in the existing order of things, though he threatened to give the peace-loving President no end of trouble by his repeated agitation in favor of war against England. In 1804 he founded the Richmond *Enquirer* and placed his cousin Thomas Ritchie in charge.[2] He and Ritchie and the Virginian "prophet of secession", John Taylor of Caroline, succeeded to the management of the Republican machine which Jefferson and Madison had built in 1796–1800. In 1815 Roane was the most powerful politician in the state. He nominated members of the legislature and caused them to be elected, he drew bills and resolutions which the law-makers passed almost without amendment; and when the sessions closed his friend, Ritchie, usually published a "leader" in the *Enquirer* headed "Well done, good and faithful servants".[3]

The first open conflict between Chief Justice Marshall and this machine came in the year 1815, when the United States Supreme Court in *Martin v. Hunter's Lessee* overruled the decision of the Virginia Court of Appeals.[4] The case was an old one. The first suit, it would appear, that Marshall argued before the General Court of Virginia was that of *Hite v. Fairfax* in which he appeared as counsel for Fairfax. The question at issue was the title to large tracts of land lying between the Rappahannock and Potomac rivers. The Fairfax grant from the English crown in 1736 had been declared null and void by the state of Virginia in 1782, the property having fallen to Denny Fairfax, an "alien enemy" living in the county of Kent, England. The unoccupied land belonged thenceforth to the state. Hite had taken out a patent from the state and settled on the land. Fairfax took steps in the proper local court to eject Hite and failing to gain his point appealed to the General Court of Virginia, predecessor of the Court of Appeals. Marshall urged with great force that Fairfax had been unlawfully deprived of his property;[5] he was not sustained by the court. But the later chief justice had made himself familiar with this notable case. In April 1789 David Hunter was granted a patent for 788 acres of the Fairfax lands. Unable to get possession in the face of opposition from Fairfax he brought suit in 1793 in the district

[1] *Ibid.*, II. 47.
[2] *Virginia Law Register*, II. 481; J. Q. Adams, *Diary*, IV. 313–314.
[3] Letters to his son. *Branch Historical Papers*, II. 123–126.
[4] 1 Wheaton, 313.
[5] 4 Call, *Reports*, 42; Thayer, *John Marshall*, 24–27.

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court of Virginia for Shenandoah County. The district court gave judgment for Fairfax and appeal was taken to the Supreme Court of Virginia. Meanwhile Fairfax died and bequeathed his claims and rights to Philip Martin. The case was argued before the supreme court of which Roane was one of the justices in May, 1796, in October, 1809, and in April, 1810, when decision was finally given against the Fairfax claim and in support of the act of confiscation of 1782. Appeal was taken to the United States Supreme Court on the ground that rights guaranteed by the Treaty of 1783 were denied.

The United States Supreme Court in accordance with Jefferson's wishes had become Republican, that is, a majority of its members had been followers of Jefferson at the time of their appointment. Jefferson and Virginians in general hoped that constitutional questions would henceforth be decided contrary to Marshall's views.

The "Fairfax" case was one of great importance, involving the title to many thousand acres of the best land in Virginia and threatening the authority of the state to dispose of those lands. The validity of an act of the legislature passed before the close of the Revolutionary War was in question.

The United States Supreme Court reviewed the decision of the Virginia court in 1813 and a mandamus issued by Marshall the "first Monday" in August following was served on the latter requiring the execution of judgment as given by the local court in favor of the Fairfax heirs. The Judges of the Virginia Supreme Court took up the matter in the summer of 1815, each one preparing his own opinion independently of the others. Roane spent a part of the summer at the White Sulphur Springs, where he talked over his forthcoming opinion with Monroe, who neither endorsed nor opposed its contentions. On his return he visited Jefferson,[1] who also hesitated to express a view without first examining the argument that might be offered on the other side.[2] On December 16, 1815,[3] the Supreme Court of Virginia formally announced that the mandamus of the United States Supreme Court would not be obeyed and that so far as Virginia was concerned its former decision would stand, *i. e.*, the Fairfax heirs would lose what was claimed under the treaty of 1783. In February following, the opinions of the Virginia justices were published in the Richmond *Enquirer*. There was not a dissenting voice. They stood on the ground that the United States courts could not constitutionally

[1] Jefferson, *Writings*, IX. 530–531; *Branch Historical Papers*, II. 1, 131.
[2] Jefferson, *Writings*, IX. 531.
[3] *Virginia Reports*, 4 Munford, 12.

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interfere with or reverse the decision of state tribunals acting within their jurisdictions, and that no treaty obligations had been impaired, since the confiscatory act of the Virginia legislature had been passed before the cessation of hostilities. The point which the national court had made, in issuing the mandamus, that Virginia had not actually taken possession before 1783, and that she could not do so afterwards was scarcely noticed. Roane's paper was a political manifesto designed to advance the cause of state sovereignty and to arouse hostility towards Marshall, who seemed still to dominate the national court. Public discussion was at once aroused and the local court was fully sustained in its refusal to honor the mandamus. John Taylor of Caroline took up his pen once more on behalf of state rights and the *Enquirer* "thundered" against the great chief justice who was again proving false to the "ancient Dominion".

The United States Supreme Court had made the tactical blunder of ordering the state court to reverse its own decision and to execute an opposing judgment. Roane had made full use of his opportunity.[1] Marshall and his fellow judges took immediate notice of the refusal of Virginia to recognize the mandamus of 1813[2] and went once again over the case, reaffirming the points formerly made. Story now delivered the opinion of the court, Johnson still dissenting. These opinions were published in the *National Intelligencer* and reprinted in the Virginia papers. The United States marshal for Western Virginia was ordered to execute the judgment of the Supreme Court. This was the first "pass at arms" between the Virginia school of states-rights advocates and the great chief justice. To the popular mind the point that Marshall had sought to make was that a state was subordinate to the Union; Roane had shown that a state could refuse obedience to the national authority with impunity.

The second conflict between the two great opposing theories of government came immediately after the decision of the case of *McCulloch v. Maryland* in March, 1819. In this case the crucial arguments for the Virginia chief justice and his powerful following were those which endorsed the doctrine of "implied powers"—a subject so full of difficulties that both Madison and Monroe had halted at its determination—and declared that a state law inconsistent with the reasonable purpose of a national statute was null and void. For the Supreme Court thus to solve great political problems

[1] Conversation with Chief Justice Keith of Virginia, a close connection of the Marshall family.

[2] 1 Wheaton, 304.

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seemed to Roane a usurpation of power. Southern leaders of opinion had frequently denied the authority of the national courts to determine the constitutionality of an act of Congress.[1] It was indeed an important matter. No court in Europe wielded such supreme power. Marshall had himself in the Virginia Convention of 1788 declared that such powers were not contemplated in the proposed national constitution.[2] But he evidently came to the conclusion later that the "fathers" had intentionally left some of these points vague. He was now firmly convinced that the exercise of permanent powers must be conceded to some branch of the national government. The "Maryland" opinion was then an enunciation of the doctrine of the court on the "implied powers" of the Constitution and the right of the court, already asserted in *Marbury v. Madison,* to interpret and apply acts of Congress.

Roane had probably helped Marshall to this view of the functions of the national Supreme Court, for he had won fame for himself in 1792 by delivering the opinion that the Supreme Court of Virginia possessed authority to interpret and apply the constitution and laws of the state, declaring the latter void if necessary. During and immediately after the Revolution this final and revisionary power was assumed by the courts of North Carolina, New Jersey, Virginia and Rhode Island. Long before 1815 it was regarded as a settled feature in the governments of many of the states. How easy must it have been then for judges of the national courts, reasoning by analogy, to claim and exercise the same authority in respect to the national constitution and laws. This was seen and openly admitted to be right and proper by some of Jefferson's most influential states-rights followers.

There was no way for Roane judicially to review the *McCulloch v. Maryland* opinion, as there had been in the former case; but nothing daunted he took up his pen in the *Enquirer,* under the pseudonym of "Amphictyon" in March and under that of "Hampden" in June, 1819. In these papers Roane took the ground of the Kentucky and Virginia resolutions, quoting *in extenso* from those documents and declaring that if Marshall's view held, the "rights and freedom of the people of the states" were lost, and that it might be necessary for Virginia to employ physical force.[3] He aroused much excitement in Virginia and the discussion went

[1] Letter of John Steele, influential Southern Federalist, to Nathaniel Macon, April 2, 1803, in Dodd, *Life of Macon,* 184; also opinion of Charles Pinckney in Thayer, *John Marshall,* 66.

[2] Elliot, *Debates,* III. 555–557.

[3] *Branch Historical Papers,* II. 1, 76; also Resolutions introduced in the Virginia Assembly, December, 1819.

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steadily on until late in the summer. A significant complaint was that the United States Supreme Court which had been supposed to be Republican in sentiment had proven to be a bulwark of the new Federalism.[1]

Roane sent copies of his articles to Jefferson and Madison asking at the same time for a public expression of their opinions. Madison declined to give a positive view; Jefferson endorsed heartily all Roane said characterizing the decision of the Supreme Court in *McCulloch v. Maryland* as a usurpation, but he begged to be excused from participating "in all contests of opinion".[2] Monroe who had half endorsed the attitude of Roane in *Hunter v. Martin's Lessee* was also appealed to, but of course he could not as president openly express an opinion.

Chief Justice Marshall was aroused by these bitter attacks. He said in a letter to Story a few days after Roane's first article appeared:[3] "Our opinion in the Bank case has aroused the sleeping spirit of Virginia, if indeed it ever sleeps." And again on May 27: "The opinion in the Bank case continues to be denounced by the democracy in Virginia. An effort is certainly making to induce the legislature which will meet in December to take up the subject and to pass resolutions not very unlike those which were called forth by the alien and sedition laws." In view of the influence and pressure Virginia might bring to bear upon the leaders of other states, he exhorted his friends to exert themselves to get counter resolutions endorsing the position of the Supreme Court adopted. For, he insisted, if Roane's principles should prevail, "the constitution would be converted into the old confederation". Marshall's friends did not bestir themselves. The politicians and newspapers, especially of Virginia, turned their guns on another "usurper", General Jackson, whose high-handed measures in Florida produced wide-spread discussion, and the pressure on the Supreme Court was relieved.

It was but a short two years, however, before another decision of the Supreme Court set Roane's pen in motion. This time it would appear that Marshall had with "malice aforethought" dragged the state of Virginia, contrary to the eleventh amendment to the Constitution, before the bar of his court. It was in the case of *Cohens v. the State of Virginia*. Two points were at issue: (1) the validity of a state law prohibiting the sale of lottery

[1] Roane's fourth article in the Richmond *Enquirer* for June 22; also in *Branch Historical Papers*, II. 1, 118.

[2] Jefferson, *Writings*, X. 140–142.

[3] *Proceedings of the Massachusetts Historical Society*, second series, XIV. 324.

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tickets in Virginia by the agents of a company organized under the laws of the District of Columbia; (2) whether an agent of such corporation could appeal from an adverse decision of the state courts to the United States courts, a state being a party to the suit.

Virginia had made the selling of lottery tickets a misdemeanor punishable with a fine of a hundred dollars for each offense. But under a recent act of Congress the District of Columbia had licensed a lottery which was expected, of course, to do business in Virginia and Maryland. Venders of tickets in Norfolk were arrested and tried before the borough court and fined $100 each. No appeal was taken to the General Court in Richmond, which might have reviewed the case; but a writ of error was allowed by the local court, without objection from the state's counsel; and the controversy went to the United States Supreme Court. The state of Virginia now became the defendant in the national court. Though the evidence on this point is not quite conclusive, it is pretty clear that the state's counsel had made no objection to the appeal, thinking it an excellent opportunity to test the question whether a state could be haled into the United States Court. Philip P. Barbour and other able attorneys were engaged by the state of Virginia. They pleaded want of jurisdiction in the trial which followed. Marshall ruled that the fine laid by the Norfolk court must be paid, not because the law of Virginia held as against an agent of a corporation chartered by Congress, but because it had not been intended to force the business of the lottery company into states having laws to the contrary, Congress not having purposely acted on this point.

The second and main question, whether the court had jurisdiction, Marshall decided in the affirmative, declaring that all parties to suits in which the constitution, laws or treaties of the nation were involved or in which rights claimed under them were denied, might appeal from any state court to the United States Supreme Court, and that the incident of a state's being a party to the litigation did not effect the case.[1]

Roane and his party were stronger now than ever before. After an understanding, it would seem, as to who should lead the fight, the Virginia chief justice began on May 25 the publication under the pen-name of "Algernon Sidney" of his most famous series of articles against Judge Marshall. They constitute a commentary on the national constitution from the standpoint of states' rights. Roane could not deal calmly with his subject. His language

[1] 6 Wheaton, 264.

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is violent and sometimes offensive. "The judgment now before us," he declared, "will not be less disastrous in its consequences, than any of these memorable judgments [of the courts of Charles I.]. It completely negatives the idea, that the American states have a real existence, or are to be considered, in any sense, as sovereign and independent states."[1] While in other countries, he maintained, the judiciary is said to be the weakest of the several departments of government, and has been limited to the mere causes brought before it, ours aspires to a more elevated function. It claims the right not only to control the operations of the co-ordinate departments of its own government, but also to settle exclusively the chartered rights of the states. He cited Marshall's speech in the Virginia convention of 1788,[2] showing that the chief justice had then denied that a state could be "dragged" before the bar of the federal court; declared that he wanted no revolutions, no rebellion, but a frequent recurrence to fundamental principles; yet he solemly admonishes his readers that the sovereignty of Virginia must be maintained, suggesting that slavery itself was not safe under Marshall's decisions. However, his rebuke and warning to his fellow-partizans bear a significant hint as to the real nature of the contest: "Yet, Republicans! I greatly fear that your sins have overtaken you. I deeply regret that you are found sleeping at your posts, and that you could not watch one hour! I greatly fear that the day of retribution is at hand. The scepter of power is about to depart from you. . . . The hair of the federal Samson has again begun to grow and with it [its] power and strength."

With this series of papers from Roane other articles appeared from week to week, like small artillery to the accompaniment of the big guns. About the same time, too, John Taylor of Caroline published his book, *Construction Construed*, which at once elicited the hearty commendation of most Southern politicians.

If the legislature of 1819 barely missed joining the fray, that of 1821 plunged into the thick of the fight. Preparation was made to re-enact the resolutions of 1798 and to call for the purging of the Supreme Court. Jefferson was still an active influence in Virginia. His son-in-law, Thomas M. Randolph, was governor. Ritchie, Roane and John Taylor enjoyed his fullest confidence. All had long been opponents of the national judiciary and enemies of Marshall. Jefferson had silently approved and encouraged Roane's attacks on Marshall since 1815. Now he wrote a letter commending John Taylor's most timely book, *Construction Con-*

[1] Richmond *Enquirer*, May 25, 1821; *Branch Historical Papers*, II. 2. 80.

[2] Elliot, *Debates*, III. 555–557.

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strued, which Ritchie was to publish in the editorial column of the *Enquirer*. Even Madison was reported in Richmond as disapproving the decision in the Cohens case.

The people of Virginia, suffering peculiarly from the economic and financial crisis which had been on for a year or two, were ready to blame some one for all their ills. Roane led them to think that the policy of the United States government, or at least of Congress, had begun to go wrong, and that Marshall, a Virginian, was the arch-enemy of the state. The time seemed ripe for bringing the national judiciary to terms, for silencing the chief justice at any rate.

Marshall recognized the danger of the coming storm. He wrote Story, June 15, 1821: "The opinion of the Supreme Court in the Lottery case has been assaulted with a degree of virulence transcending what has appeared on any former occasion. . . . There is on this subject no such thing as a free press in Virginia and of consequence the calumnies and misrepresentations of this gentleman [Roane] will remain uncontradicted and will by many be believed to be true. He will be supposed to be the champion of state rights, instead of being what he really is, the champion of dismemberment."[1] Then complaining of the vast influence exerted by Jefferson he adds in a letter of July 13, 1821: "I cannot describe the surprize and mortification I have felt at hearing that Mr. Madison has embraced them [these Virginia views] with respect to the judicial department. . . . In support of the sound principles of the constitution and of the Union of the States not a pen is drawn. In Virginia the tendency of things verges rapidly to the destruction of the government and the re-establishment of a league of sovereign states. I look elsewhere for safety."[2]

Having heard that Hall, the editor of the *American Law Journal*, then published in Philadelphia, would probably print Roane's "Algernon Sidney" papers, Marshall advises Story to exert himself to prevent such an unfortunate event. He would thus deny the freedom of the press to Roane, the lack of which he laments in Virginia, or, if the papers must be printed, he thought the editor "ought to say that he published that piece by particular request", meaning by request of Jefferson,[3] for Marshall thought it was only through Jefferson's influence that Roane could get a place in the *Law Journal*. Growing more despondent than was his wont our great chief justice repeats the language of a former letter:

[1] *Proceedings of the Massachusetts Historical Society*, second series, XIV. 327.
[2] *Ibid.*, 328, 329.
[3] *Ibid.*, 330.

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"A deep design to convert our government into a mere league of states has taken strong hold of a powerful and violent party in Virginia." He closes this interesting part of his letter as follows: "The whole attack, if not originating with Mr. Jefferson, is obviously approved and guided by him. It is therefore formidable in other states as well as in this, and it behoves the friends of the union to be more on the alert than they have been. An effort will certainly be made to repeal the 25th section of the judicial act."

It was indeed no half-hearted attack which Roane and the *Enquirer* were leading. The Washington *Gazette,* rival to the *National Intelligencer,* took up the cause of Virginia. De Witt Clinton of New York, again powerful in his own state and in the country generally, openly defended Roane's position.[1] The Louisiana *Advertiser* and other Southern papers as well as practically all the Virginia press espoused vigorously the cause of state supremacy. The sentiment of the toasts of the Fourth of July following was largely particularist; only in Richmond—an ancient stronghold of Federalism—do we find public speakers with the hardihood to defend the Supreme Court and the chief justice.

The next step was to be taken by the legislature. The plan was to pass the most drastic resolutions. But here the *National Intelligencer* calls to mind the action of Virginia in 1809 when, on losing in the famous Olmstead case, Pennsylvania had appealed to her sister states to aid her in resisting the national authority. Popular opinion in Pennsylvania then favored the establishment of a special tribunal for the settlement of just such questions as that now exciting so much attention. Virginia had then in quite positive language declared that the Supreme Court was the last resort and that it was the duty of the states to abide by its rulings.[2]

Nevertheless Governor Randolph, direct from Jefferson's roof, made the Supreme Court the chief item of his message in December 1821. A passage of it runs: "The commonwealth has undergone the humiliation of having endeavoured in vain to vindicate and assert her rights and her sovereignty at the bar of the Supreme Court of the United States, and now endures the mortification, . . . of having altogether failed to procure a disavowal of the right, or the intention, to violate that sovereignty and those rights. . . . It [the Supreme Court of the United States] arrogates to itself, always, the high authority to judge exclusively in the last resort how far the federal compact is violated, and to arraign before it,

[1] Richmond *Enquirer,* August 31, 1821.

[2] *Virginia Senate Journals,* December 4, 1809; *House Journals,* January 23, 1810; Ames, *State Documents on Federal Relations,* pp. 49–50.

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not only the decisions of the state courts, but the states themselves."[1] The message closes with an almost too emphatic assertion that none but peaceful means of redress will be resorted to.

Meanwhile R. M. Johnson of Kentucky introduced resolutions into the United States Senate looking to the correction of the abuse.[2] From Johnson's speech it will be seen that a plan of co-operation between Virginia, Kentucky and Ohio had been arranged.[3] The Virginia agitation found ready ears in Kentucky and Ohio where ambitious banking schemes were likely to be, or already had been, upset by the Supreme Court. Roane now drafted an amendment to the national constitution, as he said to strengthen the proposed reform; but which was to pass the Virginia assembly and then to be sent to the other states for endorsement. A letter to Archibald Thweatt, December 11, 1821, gives us a suggestive hint as to how things used to be done in legislative bodies: "With a view to aid them, or rather to lead on this important subject, I have prepared some amendments to the constitution to be adopted by our assembly. They are very mild, but go the full length of the wishes of the republicans on this subject. They will be copied by another hand and circulated among the members. I would not wish to injure the great cause by being known as the author."[4] The following prospective amendment was endorsed almost without opposition: "That the judicial power of the United States shall not be construed to extend to any case in which a state shall be a party, except in controversies between two or more states, nor to any other controversies involving the rights of a state and to which such state shall claim to become a party. That no appeal shall be construed to lie to any court of the United States from any decision rendered in the courts of a state."[5] But neither Johnson's resolutions in the Senate nor those of the Virginia Assembly ever reached the heart of the North; and Congress never once seriously considered the proposition to remove the great chief justice.

Such was the outcome of Marshall's long conflict with Virginia. There had been much of bitterness and there was even to the last a resolute and large party ready to take revolutionary steps against the Supreme Court. But Jefferson thought the political constellation unpropitious; indeed Roane charged both him and Madison with "hanging back too much in this great crisis". The old statesmen

[1] *Virginia House Journals*, December 3, 1821.

[2] *Annals*, 17 Cong., I. 28, 68–123.

[3] H. V. Ames, *Proposed Amendments to the Constitution* (A. H. A. 1896, II.), p. 161.

[4] *Branch Historical Papers*, II. 1, 140.

[5] *Virginia House Journals*, February 2, 1822.

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had, however, served their day; they were not disposed to embark on another campaign of agitation like that of 1798. Jefferson advised that, since the Missouri question had so divided the states and given occasion for such outspoken threats on the part of Virginia leaders, any attempt now to force the issue with the Supreme Court would cause a re-alignment of the states after the manner of the recent dispute and thus defeat their designs. "She [Virginia] had better lie by therefore until the shoe shall pinch an Eastern state. Let the cry be first raised from that quarter and we may fall into it with effect."[1] He then advised the Virginia delegation in Congress to press for a change in the method of choosing judges, appointment for terms of six years instead of for life, the House of Representatives also to have the right of confirmation. This he thought would bring the court into closer touch with the people.[2] He had never ceased to be alarmed by the decisions of Marshall and thought Roane's position impregnable. He said, "This doctrine [of Marshall] was so completely refuted by Roane, that if he can be answered, I surrender human reason as a vain and useless faculty, given to bewilder, and not to guide us."[3]

Roane had solemnly warned Virginia in these replies to Marshall that slavery would be doomed under such a constitution as his opponent expounded; he spoke of secession as a lawful alternative to submission to the Supreme Court; and yet admitted that forcible resistance would be revolution. But Virginia was not then ready to cross the Rubicon, and Roane died six months after the inglorious close of his "movement", thinking that his work had all been in vain. The "shoe pinched" in South Carolina within the space of a single twelvemonth. Robert Barnwell Rhett of that state began where Roane left off, and drawing constantly upon the Virginia magazine so recently filled he began and continued an agitation which forced Calhoun to recant his ardent nationalism in 1828, and which swept the South two decades later into Texas annexation, ceasing not until the Roane-Marshall debate was settled in the awful tribunal of civil war.

WILLIAM E. DODD.

[1] Jefferson to Nathaniel Macon, October 20, 1821. Jefferson, *Writings*, X. 193–194.

[2] *Ibid.*, 198.

[3] *Ibid.*, 229.

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PRESIDENT JACKSON AND THE TEXAS REVOLUTION

JOHN QUINCY ADAMS with his monumental diary proved that General Jackson was willing in 1819 to see the United States relinquish her vague claims to Texas in return for the definite advantages of the Floridas.[1] But when the Texas fever did attack him the treaty of 1819 appeared an egregious blunder, and, while fiercely denying that he had ever approved it,[2] he spent no little time and energy in trying to rectify it. Did he in doing so resort to the Machiavellian intrigues which have sometimes been ascribed to him?[3] It is the aim of the present paper to submit evidence for the defense which it is hoped may point the way to a positive acquittal. It will consider: (1) the efforts of President Jackson to purchase Texas, (2) his connection with Sam Houston's alleged plot to revolutionize the country, and (3) the charges made against the government of breach of neutrality during the Texas revolution, (a) in contributing men, money, and supplies to the rebels, and (b) in the occupation of Nacogdoches by General Gaines.

To Adams the treaty was always a blunder. He opposed it when it was made, and within twenty days of his inauguration as president had taken steps to regain as much of Texas as its new mistress could be induced to surrender. On March 26, 1825, Clay at his request instructed Poinsett to appoach the Mexican government for a readjustment of the Texan boundary. The Sabine was unsatisfactory to the United States, and he suggested that the Brazos, the Colorado, or even the Rio Grande might be substituted for it. Nothing came of this, and again in 1827 (March 15) Clay wrote Poinsett that the President was willing to promote the success of the negotiation "by throwing into it other motives than those which strictly belong to the subject itself". Therefore he was authorized to offer a million dollars for a line beginning at the mouth of the Rio Grande, following that river and the Pecos to the source of the latter, thence north to the Arkansas, and then

[1] Adams, *Memoirs*, IV. 238–239, XI. 348, 349, XII. 131; Sumner, *Andrew Jackson*, 67; Parton, *Life of Andrew Jackson*, II. 584–588.

[2] Schouler, *History of the United States*, IV. 251 and note; Niles's *Register*, L. 185.

[3] Adams, *Memoirs*, XI. 349; Wise, *Seven Decades of the Union*, 148; Sumner, *Andrew Jackson*, 354; Schouler, *History of the United States*, IV. 251.

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along that river and the forty-second parallel to the Pacific Ocean. For the alternate line of the Colorado he might offer half the sum. The President thought it an auspicious time to urge the negotiation, because he was led to believe, said Clay, by the great size and frequency of the grants which Mexico had been making in Texas to colonists from the United States, that the government did not value land very highly. Moreover, the emigrants now flocking to Texas would carry with them their own principles of law, liberty, and religion; collisions might be expected—some, in fact, had already occurred;—and these would be likely to "enlist the sympathies and feelings of the two Republics, and lead to misunderstandings". And, altogether, the President was of the opinion that the boundary of the Sabine brought Mexico nearer to "our great western commercial capital than is desirable."[1] Poinsett was by this time, however, keenly aware of the Mexican sensitiveness to the subject, and did not even present the proposal, knowing that it was wholly impracticable and would aggravate the irritation already existing between the two countries.[2] Thus the matter stood at the beginning of Jackson's administration.

President Jackson took up the subject less promptly than Adams had done. Nearly six months of his first term had expired before Secretary Van Buren wrote Poinsett (August 25, 1829) to renew the overtures to Mexico. Four lines were suggested as acceptable in varying degrees to the United States. The most desirable one would begin in the centre of the "desert or Grand Prairie," west of the Nueces, the next would follow the Lavaca River, the third the Colorado, and the fourth the Brazos. For the first line he might offer four million, or if "indispensably necessary", a maximum of five million dollars, and for the others a proportionate part of that sum. The President was induced to make this liberal offer, Van Buren said, "by a deep conviction of the real necessity of the proposed acquisition, not only as a guard for our western frontier, and the protection of New Orleans, but also to secure forever to the inhabitants of the valley of the Mississippi the undisputed and undisturbed possession of the navigation of that river". Numerous reasons were suggested why Mexico ought to be glad to make the cession on these terms: the Sabine boundary was not definitely settled—the United States government saw good reason to contend

[1] MSS. Department of State, Instructions to Ministers, volume 11, pp. 270–273. Sumner (*Andrew Jackson*, 352, note 2) thinks that the attempt to buy Texas was taken on Clay's initiative rather than Adams's; but see Adams, *Memoirs*, XI. 365, and Niles's *Register*, LXII. 138.

[2] Clay's Raleigh Letter, April 17, 1844, in Niles's *Register*, LXVI. 152.

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for the so-called Neches as the river intended by the treaty of 1819—and it would take long and tedious negotiations to determine the point; even if the question were settled in favor of Mexico, the nature of the boundary would inevitably require a large army to prevent wholesale smuggling; the large and increasing Indian population in Texas would place another burden on the inadequate military department; the notorious lack of confidence between Mexico and the present inhabitants of Texas, which had "in the short space of five years displayed itself in not less than four revolts, one of them having for its avowed object the independence of the country", must eventually involve the United States and Mexico in misunderstandings—though the former maintained an unswerving neutrality; and finally "the comparatively small value of the territory in question to Mexico, its remote and disconnected situation, the depressed and languishing state of her finances, and the still, and at the present particularly, threatening attitude of Spain, all combine to point out and recommend to Mexico the policy of parting with a portion of her territory, of very limited and contingent benefit, to supply herself with the means of defending the residue with the better prospect of success, and with less onerous burthens to her citizens". If Poinsett did not from his general knowledge of Mexican sentiment think it impolitic, he could further urge that because of her successive revolutions and the hostility of Spain the government was very unsettled and the confederation exposed to the danged of dismemberment. In such an event every one must see that "the first successful blow would, most probably, be struck in Texas".[1]

These instructions were largely based on an elaborate report prepared by that arch-schemer, Colonel Anthony Butler, of Mississippi, on the economic, political, social, and geographical condition of Texas. So far as one can check it, it appears on the whole accurate, except as to the four revolts in Texas.[2] Professor Von Holst thought it very inconsiderate of Jackson to take advantage of Mexico's distress and urge this cession when Spain was threatening invasion,[3] but one can only wonder whether Adams would have refrained, had the same conditions existed in 1827. Certainly Jackson does not suffer in a pecuniary comparison: he offered four million dollars more than Adams for a territory thousands of square miles smaller.

[1] MSS. Department of State, Special Missions, Volume I., pp. 34–50.

[2] The report and Jackson's rough draft of the letter to Poinsett are among the Van Buren MSS. in the Library of Congress.

[3] Von Holst, *Constitutional and Political History of the United States*, II. 555.

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But Poinsett was not the man to carry this negotiation to a successful issue. He had made many enemies during his four years at the Mexican capital, so about the middle of October President Jackson recalled him, notified Butler on October 19 of his appointment, to replace Poinsett, and expressed complete confidence in his success. He was sure, he said, that if Texas was not purchased, it would create jealousy between the United States and Mexico, on account of the Americans settling there; they would declare independence as soon as their numbers justified, and the United States would be accused of instigating it, though all "constitutional powers will be exercised to prevent".[1]

Butler arrived in Mexico at an inopportune time. The public was very suspicious, and the press chose to regard the proposition to purchase Texas as a national insult. This feeling expressed itself officially in the celebrated report which the secretary of foreign relations, Lucas Alaman, introduced into Congress, February 8, 1830.[2] It recommended, in effect, that immigration from the United States to Texas be henceforth prohibited, and on April 6 this recommendation became a law.[3] The law was received in Texas with some little ebullition,[4] and this in turn increased the storm in Mexico. Butler wisely decided, therefore, to wait and say nothing, and it was not until the middle of 1831 that he manifested any activity on the subject nearest his heart. On June 23 he wrote President Jackson that he had high hopes for the pecuniary feature of the proposition: "As the influence of money is as well understood and as readily conceded by these people as any under Heaven, I have no doubt of its doing its office." But he asked whether, in view of the great importance of the object, he might not be authorized to offer as much as seven millions, if it appeared necessary. To this the President replied, August 17, that it had been unanimously decided in executive council that the maximum must not exceed five million dollars.

On February 27, 1832, Butler wrote that the government was very much pressed for money, because General Santa Anna had seized the custom-house at Vera Cruz and was raising a revolution against President Bustamante. He had improved the occasion,

[1] Jackson to Butler, October 19, 1829. Jackson MSS. in the Library of Congress. Letters not otherwise cited in this paper belong to this collection.

[2] The report is printed in Filisola, *Memorias para la Historia de la Guerra de Tejas*, II. 590–612. There is a partial translation in 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., pp. 312–322.

[3] Dublan y Lozano, *Legislacion Mexicana*, II. 238–240.

[4] Rowe, "The Disturbances at Anahuac", in *Quarterly of the Texas State Historical Association*, VI. 269.

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therefore, to intimate to the minister of foreign affairs that if matters got very bad, arrangements might be made for getting several millions from the United States. Jackson approved this as a very "judicious" suggestion, and expressed the hope that it "may lead to happy results in settling our boundary".

A letter of July 18 revealed Butler's method of working. He had been cultivating Señor Alaman, the minister of foreign affairs, and believed that the prize was almost in his grasp. He wrote, "The amount to which I am limited for the purchase by my instructions will very probably be in part applied to *facilitate the Negotiation*, in which case we shall provide for that portion of the payment by a secret article." If the President replied to this he failed to preserve a copy of his letter, but we shall find him later expressing his opposition to the plan in no uncertain terms.

In the meantime, the revolution in Mexico reached an acute stage, and the resultant confusion prevented further operations on Butler's part for several months. On the fall of Bustamante, General Pedraza by a peculiar arrangement shouldered the presidential burdens, to serve out the remaining three months of a term for which he had been elected and from which he had resigned in 1828.[1] Santa Anna was expected to succeed him in April, 1833. Of Pedraza Butler wrote, January 2, 1833, that he was said to be very much opposed to the further westward extension of the United States boundary. By "one road", however, he hoped "to reach him and vanquish his scruples". But if he still continued obstinate, it would be necessary to wait for the new administration, which at the worst would entail no more than an additional three months of delay. He finished with these determined words, "I will succeed in uniting T—— to our country before I am done with the subject or I will forfeit my head." On February 10 a new thought occurred to him. The government was almost bankrupt, and he asked whether the United States could not advance a loan of five millions, and take a mortgage on Texas for security. This would be tantamount to an outright sale of the territory, he said, because there was not the least probability that the money could ever be repaid.[2]

On March 20 Edward Livingston at the President's request replied that there was no constitutional authority for such a transaction on the part of the United States government, and that therefore it was impracticable. He added an admonition to hasten the

[1] Bancroft, *History of Mexico*, V. 123–124.

[2] 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 466.

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negotiation, saying. "The situation of affairs in the State of Texas y [and] Coahuila makes it important that your negotiation on that subject should be brought to a speedy conclusion. It is at least doubtful whether in a few weeks any *stipulation could* be carried into effect."[1] This communication has been interpreted as proving that President Jackson was too well informed concerning Texan affairs to have been entirely guiltless of shaping them himself. Professor Van Holst misstates its terms somewhat, saying that the President "had an order given to Butler through Livingston to break off the negotiations for the purchase, because they would soon become objectless, for the reason that the American colonists of Coahuila intended to declare their independence in a convention on the 1st of April, 1833",[2] while Adams insinuatingly remarked, that in the documents communicated to the House in 1838, "This precise knowledge of Jackson, to a day, of the intended design of the colonists to declare their independence as early as April, 1833, was suppressed."[3]

One naturally asks, how did Jackson get his information? And at first blush it does not help his case, perhaps, that the answer is, from his friend Sam Houston. But Houston's letter is apparently a casual one, and at least does not indicate a collusive understanding between himself and the President. He knew, for it was no secret, that Jackson wanted to acquire Texas, so he wrote him the latest news from that interesting country. His letter was dated at Natchitoches, Louisiana, February 13, 1833, and runs, in part, as follows:

Having been so far as Bexar [San Antonio] in the province of Texas, . . . I am now in possession of some information which will doubtless be interesting to you, and may be calculated to forward your views, if you should entertain any, touching the acquisition of Texas by the Government of the United States. That such a measure is desired by nineteen-twentieths of the population of the province I cannot doubt . . . The people of Texas are determined to form a State Government and separate from Coahuila, and unless Mexico is soon restored to order, and the constitution revived and re-enacted, the Province of Texas will remain separate from the confederacy of Mexico. . . . My opinion is that Texas, by her members in Convention, will, by 1st of April, declare all that country [from the Rio Grande] as Texas proper, and form a State Constitution. I expect to be present at the Convention and will apprise you of the course adopted, as soon as its members have taken a final action. It is probable that I may

[1] MSS. Department of State, Instructions to Agents to Mexico, Vol. 14, p. 292.
[2] Von Holst, *Constitutional and Political History of the United States*, II. 563.
[3] Adams, *Memoirs*, XI. 368.

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make Texas my abiding-place. In adopting this Course *I will never forget* the country of my birth.[1]

Returning now to Colonel Anthony Butler, we find that his hopes were disappointed in the new Mexican administration. Santa Anna became president in April, 1833, but for a year he only occasionally exercised the duties of the office, and during his frequent and prolonged absences power rested in the hands of the vice-president, Gomez Farías—a narrow-minded but reputedly honest and patriotic citizen. The unstable equilibrium created by the alternation between the policies of Santa Anna and Farías, and the upright character of the latter, were not favorable to Butler's operations, and by the end of September (26th) he despaired of success, unless President Jackson would consent to apply pressure in a way which he proceeded to indicate.

A glance at the map will show that the Sabine River, some miles above its mouth, flows through a considerable lake. West of the Sabine the Neches River flows into the same lake. By the treaty of 1819 the boundary of the United States followed the west bank of the Sabine from its mouth,[2] which would necessitate crossing the Neches where it debouched into the lake. Jackson believed, however, that the Neches was merely a westerly branch of the Sabine, therefore the territory between the Sabine and the so-called Neches belonged to the United States. The question was suspended by agreement, pending the findings of a future boundary commission. Butler now urged that the President occupy this disputed strip, and garrison Nacogdoches. The Texan colonists would not consent to see the country divided and would revolt from Mexico, which would then, no doubt, accept his offer and sell to the United States. On October 2 he urged this again, and argued the boundary ambiguity naïvely and at length. To one acquainted with Texas streams his description of the Neches is ludicrous. It was nearly a mile wide, he said, where it flowed into the lake—"a bold and deep" navigable river; while the Sabine was shallow and unnavigable. Had Mr. Adams known the topography of the country, he was very certain "that a different *specification of boundary* would have been made". Therefore "the question is whether common sense and the reason of the thing does not authorize the interpretation that the western branch of the two rivers . . . should . . . be deemed the branch contemplated in the treaty as the boundary". No reply from the President is found.

[1] Crane, *Life and Select Literary Remains of Sam Houston*, 46–47.
[2] *United States Treaties and Conventions* (ed. 1889), 1017.

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On October 28, reverting to his earlier notion of gaining the object by indirect methods, Butler wrote a letter which drew an indignant rejoinder from President Jackson. He said that a high official had recently opened the subject with him by asking if he had "command of money". "I remember that you [President Jackson] had instructed me to use the money at my discretion and answered, Yes." He then said that two or three hundred thousand dollars would be required to get the support of an important person, without whose aid nothing could be done, and that three or four hundred thousand might have to be distributed to others. "I replied that I could arrange for the money if assured of the object"; and the official left, saying that he would continue the subject as soon as Santa Anna returned to the city. Of course you know, Butler added, who the "important" man is.

Jackson answered this letter the day he received it, November 27, 1833. He said that he had read it with care and astonishment—astonishment because such a communication had ever been entrusted to the mails without reducing it to cipher; because his own private letters and instructions had been interpreted as authority for saying that Butler "had money"; because his authorization to apply the money at discretion had been construed to mean "that I authorized you to apply it to corruption, when nothing could be further from my intention than to convey such an idea". He then explained what he had meant by "discretion". He wanted Texas, if acquired at all, to be unincumbered by Mexican grants whose conditions had not been fulfilled by the grantees, and had suggested, therefore, that Mexico could extinguish such grants by buying back the rights of the grantees, and instructing the United States to pay them with a part of the five million dollars. Butler could agree to such stipulations for the distribution of the money as his "discretion approved". "All the U. S. is interested in is the unincumbered cession, not how Mexico applies the consideration. . . . Therefore I repeat the best means to secure the object is left to your discretion—but I admonish you to give *these shrewd fellows* no room to charge you with tampering with their officers to obtain the cession thro corruption. Your duty is in exercising your sound discretion to obtain the cession of Texas to the boundary named. . . . But we are deeply interested that this treaty of cession should be obtained without any just imputation of corruption on our part." Again he repeated, "Let us have a boundary without the imputation of corruption." He urged haste in the negotiation, and instructed Butler, if he thought there was no probability of success

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in arranging a boundary, to inform him, so that "we may proceed to make one ourselves, making the necessary notification through you that we will run the line and take possession of Nachedoges" [Nacogdoches].

On February 6, 1834, Butler wrote with an injured air that the President had said "*that it was a matter of no consequence to the gov't how the money was disbursed*", and he certainly did think himself justified in believing that he was authorized to act at discretion. He was convinced that the negotiation could only be completed by bribery, "or by presents if the term is more appropriate". A month later he wrote (March 7) that there was no hope of gaining Texas without taking forcible possession of that part which already belonged to the United States. "If you will withdraw me from this place and make the movement to possess that part of Texas which is ours, placing me at the head of the country to be occupied, I will pledge my head that we have all we desire in less than six months without a blow and for the price we are willing to pay for it." It was for Jackson's glory, he added, that he wished to see this done. On this letter the president wrote the following endorsement: "A. Butler What a scamp. Carefully read. The Secretary of State will reiterate his instructions to ask an extension of the treaty for running boundary line, and then recal him, or if he has recd his former instructions and the Mexican Gov't has refused, to recal him at once."

Butler continued to hold out hope, however, and did not return to the United States until the middle of 1835, and then he came on leave. On June 6, 1834, he wrote that if he could have just one hour's conversation with the President he was sure that he could return to Mexico "with the prospect of being much more useful". On November 21 he wrote that Santa Anna had asked him to suggest some way for his government to obtain money, and he had done so. Santa Anna then said that he would send Alaman to talk it over. From this Butler inferred that Alaman would soon hold the portfolio of foreign affairs, and from that gentleman, he said, "we may expect to gain all we have a right to ask". The subject was already "understood" between them. On December 24 he wrote that Señor de Estrada was minister of foreign relations, Gutiérrez minister of State, and Alaman was in Congress. With this combination he thought our prospects very bright.

In June, 1835, Butler was in Washington for a personal interview with the President. The time had at last arrived, he said,

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for settling the matter in the most advantageous and satisfactory way, and on the terms of the United States, "simply by modifying a disbursement of the money to be paid". In support of his convictions he submitted a copy of a letter from Padre Hernandez, the confessor of Santa Anna's sister and a confidential agent of Santa Anna himself. It was dated March 21, 1835, and ran in part as follows: "The negotiation which you have so long desired to effect is, as I have often told you, perfectly within your power; nothing is required but to employ your means properly. Five hundred thousand dollars judiciously applied will conclude the affair, and when you think proper to authorize me to enter into the arrangement depend upon my closing it to your satisfaction." Butler's letter enclosing this copy is dated June 17; on the 22d the President endorsed it: "Nothing will be countenanced by the executive to bring this government under the remotest imputation of being engaged in corruption or bribery. . . . We have no concern in the application of the consideration to be given. . . . The public functionaries of Mexico may apply it as they may deem proper to extinguish *private claims* and give us the cession clear of all incumberance except the grants which have been complied with."[1]

On July 2 Forsyth informed Butler that the President was determined that no measures "of even an equivocal character" should be employed in the negotiations, and that no confidence was felt in his ability to accomplish anything further. However, since Butler himself seemed hopeful, he might return to Mexico and make a final effort. But he must act quickly and return in December so that a report could be made to Congress.[2] It is perhaps sufficient to say that he accomplished nothing and that in October the Mexican government requested his recall, on the ground that there were imputed to him "intrigues unbecoming a diplomatic agent".[3] The President complied, and appointed as his successor Mr. Powhatan Ellis.

It is said that in 1832 a Louisiana paper published an item to the effect that General Houston had gone to Texas for the purpose of inciting a rebellion and that he might be expected soon to be seen raising his flag. Admitting that he did have some such object tentatively in mind—and there is some evidence to support that view,[4]—it has often been strongly hinted and sometimes openly

[1] MSS. Department of State, Despatches from Agents to Mexico, Vol. 6.

[2] MSS. Department of State, Instructions to Agents in Mexico, 1835, p. 49.

[3] MSS. Department of State, Communications from Agents of Mexico, 1835.

[4] See John Van Fossen to Houston, August 3, 1832, in Crane, *Life and Select Literary Remains of Sam Houston*, 48–49; also Jackson to Van Buren,

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charged that President Jackson connived at his plot. The primary authority for this is a somewhat hysterical story told by a Dr. Robert Mayo and strengthened by the well-known friendship between Houston and Jackson and the not altogether unbiassed acceptance of Mr. Adams. Mayo was an eccentric, gossipy, meddlesome person, who, by his own account, once admired General Jackson to the point of hero-worship. His disillusionment came in this wise: In 1830 fortune threw him in the way of a slight intimacy with Houston. As the acquaintance ripened the latter confessed that he was preparing an expedition in the United States to wrest Texas from Mexico and make it an independent country. He offered Mayo a surgeon's appointment in his army. This was declined, and their friendship progressed no further. Houston had spoken only vaguely of his method of procedure, but Mayo learned more of it later from a chance-met fellow-lodger in a Washington boarding-house, a Mr. Hunter, lately dismissed from West Point. By pretending to know more than he did, he led Hunter to reveal the whole plan. Hunter declared that he himself was a recruiting agent for the Washington district; "that there were agencies established in all the principal towns, and various parts of the United States. . . . That several thousands had already enlisted, along the sea-board from New England to Georgia, inclusive. That each man paid thirty dollars to the common fund, and took an oath of secrecy and good faith to the cause on joining the party. That they were to repair, in their individual capacities, as travellers, to different points on the banks of the Mississippi, where they had already chartered steamboats, on which to embark, and thence ply to their rendezvous, somewhere in the territory of Arkansas, or Texas, convenient for action,—and that they meant to establish an independent government, and resist any attempt of the United States to wrest so valuable a prize from them."

Dr. Mayo felt it his duty to apprize the President of this contemplated breach of our neutrality laws, and did so verbally in November, 1830. At the subsequent request of the President he made his communication in writing (December 2, 1830). Much to his surprise the president's message of December 7 did not refer to the subject. On the contrary it declared our relations with Mexico entirely satisfactory. But six years passed before an incident convinced him of Jackson's hypocrisy, and caused him to resolve, in his own words, "NEVER TO SEE HIM MORE."

January 23, 1838 (Van Buren MSS. in Library of Congress), in which General Jackson quotes from his letter-book an entry of May 31, 1829, regarding a statement made to him by General Duff Green, page 802, note 2, below.

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Late in 1836, when President Jackson was getting ready to leave the White House to its new tenant, he returned many letters which Mayo had written him, and among them that of December 2, 1830. With it, according to Mayo's story, was inadvertently enclosed a copy of a letter which Jackson wrote on the subject to William Fulton, secretary of the territory of Arkansas.[1] To Mayo it carried proof that the President had believed his story but yet had taken no adequate steps to prevent the expedition—which was equivalent to conniving at it. He thought that more extensive, not to say public, efforts should have been made to investigate it; but what struck him "with petrifying amazement" was the inconsistency revealed between the suspicions expressed in this letter and the beliefs asserted in the message three days before it was written.[2]

This letter, which Mayo regarded as so damning, is printed by him in fac-simile. It is as follows:

Strictly Confidential.

WASHINGTON, Dec^{br}. 10th, 1830

D^{r} S^{r}

It has been stated to me that an extensive expedition against Texas is organizing in the United States, with a view to the establishment of an independent government in that province and that Genl Houston is to be at the head of it. From all the circumstances communicated to me upon this subject, and which have fallen under my observation, I am induced to believe, and hope, (notwithstanding the circumstantial manner in which it is related to me) that the information I have received is erroneous, and it is unnecessary that I add my sincere wish that it may be so. No movements have been made, nor have any facts been established which would require, or would justify the adoption of official proceedings against individuals implicated, yet so strong is the detestation of the criminal step alluded to, and such my apprehension of the extent to which the peace and honor of the country might be compromitted by it, as to make me anxious to do everything short of it which may serve to illicit the truth, and to furnish me with the necessary facts (if the[y] exist) to lay the foundation of further measures. It is said that inlistments have been made for the enterprise in various parts of the Union—That the confederates are to repair as travellers to different points of the Mississippi, where they have already chartered

[1] General Jackson declared in 1838 that Mayo could only have obtained it by purloining it. (Jackson to Blair, July 19, 1838; August 9, 1838. Jackson MSS. Jackson to Blair, August 14, 1838. Van Buren MSS.) His reasons for so believing are given in his letter to Blair of August 9, and essentially the same reasons were later repeated in an affidavit. See Mayo, *The Affidavit of Andrew Jackson*, etc. (third edition, Washington, 1840), pp. 5–6.

[2] Mayo, *Political Sketches of Eight Years in Washington* (Baltimore, 1839), 117–129. Preliminary portions of this book were published in 1837, and doubtless Adams and some of Jackson's friends had seen them at the time when the controversy arose early in 1838.

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steam Boats on which to embark—That the point of rendezvous is to be in the Arkansa Territy, and that the co-operation of the Indians is looked to by those engaged in the contemplated expedition.

I know of no one whose situation will better enable him to watch the course of things, and keep me truly and constantly advised of any movements which may serve to justify the suspicions which are entertained than yourself, and I know I can rely with confidence on your fidelity and activity. To secure your exertions in that regard, is the object of this letter, and it is because I wish it to be considered rather as a private than an official, act, that it is addressed to you instead of the governor, (who is understood to be now in Kentucky).

The course to be pursued to effect the object in view, must of necessity be left to your discretion—enjoining only, that the utmost secrecy be observed on your part. If in the performance of the duty required of you any expenses are necessarily incurred by you, I will see they are refunded.

I am respectfully yours

ANDREW JACKSON

Wm. Fulton, Esqr.[1]

Mayo contended that the President did not want an investigation made and that this letter was intended merely to put the matter to sleep. Knowing from Mayo of the letter, but not disclosing its contents, John Quincy Adams early in January called on the State Department to transmit it to the House. Neither a copy of the letter nor any correspondence from Fulton in regard to it could be found in the files of the department.[2] Reading the letter in the House in July, Adams admitted that its contents were all that the circumstances demanded—only it had never been sent.[3] This he maintained because of the absence of any record in the State Department. Jackson pertinently asked why Adams, if he honestly desired to know whether the letter had been sent and received, did not apply to Fulton, now a Senator from Arkansas, and so close at hand.[4]

For Fulton, between whom and Jackson there had been an active correspondence in these intervening months since Adams made his call, declared[5] that he did receive the letter, and that he made an investigation and sent several reports to the President which "fully authorized the conclusion that there was not at that time (1831)

[1] Mayo, *Political Sketches*, facsimile between pages 124 and 125. Long before Mayo's book was published printed copies of the letter were numerous. See the *National Intelligencer*, July 19, 1838; *Globe*, July 21, 1838.

[2] The *Globe*, January 8, July 7, 21, 1838. See also Forsyth to Jackson, February 14, 1838. Jackson MSS.

[3] *Globe*, July 7, 1838.

[4] Jackson to Fulton, July 19, 1838. Jackson MSS.

[5] His first statement was in a letter to Howard. *National Intelligencer*, July 21, 1838.

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any hostile movements whatever on foot in Arkansas against Texas or Mexico".[1]

Adams then countered with the argument that, even if the letter was sent, Jackson's duplicity was proved by his addressing it to the secretary instead of to the governor of Arkansas who was really at his post and not absent in Kentucky as alleged.[2] That is to say, there was an understanding between Jackson and Fulton to smother the whole thing.

This charge on the part of Adams would seem, however, to have been gratuitous. He failed to make out a case. On the contrary, the case for the defense became, before the affair was ended, fairly clear. For the original of the letter in question was eventually found in Arkansas and sent to the State Department, where it was placed on file. Besides, the whole tone of the correspondence between Jackson and Fulton in search for the missing letter and between Jackson and Blair and Van Buren relative to the episode has a straightforwardness that is convincing, and is without suspicion of collusion or connivance. Adams, on the other hand, whatever we may think of the way in which he obtained the letter and the use he made of it, had laid his motives open to serious criticism by making and reiterating his charges without seeking for the facts right at his hand and, apparently, by manoeuvering

[1] *Globe*, August 29, 1838. Fulton, writing to Jackson, January 11, 1838, states that he recollects the letter as one of which Jackson may be justly proud, but, as he has neither the letter nor a copy of his reply with him, desires Jackson to send him copies of both that he may use them as occasion may seem to demand. Before receiving this letter from Fulton Jackson had written to Fulton and also to Forsyth, quoting an entry in his memorandum book (see note 2, page 802), and stating that the letter and Fulton's report would probably be found in the War Department. He therefore asked that the files of the War Department be searched, and that all letters, official or unofficial, confidential or otherwise, together with Fulton's replies, be communicated to the House of Representatives. (Jackson to Fulton, Jackson to Forsyth, January 23, 1838. Jackson MSS.) As nothing was found in the War Department, Fulton writes that when he returns to Arkansas he will obtain the letter. See Poinsett to Forsyth, February 8, 1838; Forsyth to Jackson, February 14, 1838; Fulton to Jackson, February 17, 1838; also Jackson to Forsyth, March 6, 1838, and Fulton to Jackson, April 1, 1838. All these letters are among the Jackson MSS. See also Jackson to Van Buren, January 23, 1838; Van Buren MSS.

[2] *National Intelligencer*, August 27, 1838; *Globe*, August 28.

[3] Fulton, finding that he would be unable to go to Arkansas during the summer, wrote to his father to search for the letter and copies of replies or reports on the investigation of Houston's alleged activities in Arkansas and to send them to Washington. The letter itself was found, but no replies from Fulton to Jackson, it seems, were ever discovered. See Fulton to Jackson, January 26, 1839; David Fulton (father of Senator W. S. Fulton) to Jackson, February 18, 1839; Forsyth to Jackson, March 14, 1839; W. S. Fulton to Jackson, August 21, 1839. Jackson MSS.

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to prevent an investigation. On July 21 Jackson wrote to Adams demanding that the letter which the latter had read on the seventh be returned to him, and that Adams explain how he had obtained it. The letter to Adams was sent to Blair to be delivered, but as Mayo meantime had made the necessary revelation, Jackson's letter to Adams was withheld.[1]

Removed from the heat of debate, Adams's argument can hardly be regarded as serious. The general was not one to look ahead and manufacture evidence for a possible contingency, and if he wanted nothing done, why did he write at all? As a matter of fact, he heard something of Houston's wild vaporings more than a year and a half before Mayo told his startling story, and immediately instructed Governor Pope to block any movement that might be made from Arkansas.[2] All things considered, does the letter not evince an honest desire to get at the truth? There were sufficient diplomatic reasons for wishing to keep the investigation secret.

Houston's alleged relation to the Texas revolution should here be noticed, too. He may have been nursing some Burr-like project in his active brain when he made his first visit to Texas. He did attend the Convention of April, 1833, and the constitution there adopted for the proposed state of Texas—which, be it remembered, was to remain a member of the Mexican confederation —was largely his work. But his life is a blank to history for the next two years, and it is not till past the middle of 1835, when the revolution was well under way, that we find him at Nacogdoches, speaking at a

[1] The letter to Adams which Jackson sent to Blair and also the draft are among the Jackson MSS. See also Blair to Jackson, July 30, 1838; Blair to Jackson, August 2, 1838; Jackson to Howard, August 2, 1838; Jackson to Blair, August 9, 1838; Blair to Jackson, August 23, 1838; B. C. Howard to Jackson, August 29, 1838; Jackson MSS. Jackson to Blair, August 14, 1838; Van Buren MSS. Mayo's letter to Gales and Seaton, *National Intelligencer*, August 2, 1838.

[2] *Jackson to Van Buren, January 23, 1838.* Van Buren MSS. "I have searched my Executive Book.—I can find no letter written by me to Secretary of the Territory of Arkansa Judge Fulton about the tenth of December 1830, on the subject of Texas or Mexico, but I have found the following memorandom on my memorandom Book it is as follows, 'May 21st, 1829. Genl Duff Green has furnished me with an extract of a letter from Doctor Marable to Genl Green, containing declarations of Governor Houston, late of Tennessee, that he would conquer Mexico, or Texas and be worth two Millions in two years etc. etc. Believing this to be the mere efusions of a distempered brain, but as a mere precautionary measure I have directed the Secretary of War to write, and enclose to Governor Pope of Arkansa this extract, and to instruct him to make diligent enquiry and if such illegal project should be discovered to exist, to adopt prompt measures to put it down and to give to the Government the earliest intelligence of such illegal enterprise, with the names of all those who may be concerned therein.'" See Van Buren's letter to Jackson, January 10, 1838. Van Buren MSS.

[3] Copy in Edward, *History of Texas*, 196–205.

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public meeting. The revolution was principally developed in the so-called Department of the Brazos, which covered most of the territory between the Trinity and Guadalupe Rivers and did not include Nacogdoches. The writer has examined hundreds of letters and public documents, both Texan and Mexican, on the development of the revolution, has collected with few exceptions the proceedings of all the public meetings and revolutionary committees, and has found nowhere a single reference to General Houston. In August, 1835, the Mexican authorities made a demand for the principal leaders of the war party, but Houston's name was not on the list. This, of course, is negative evidence, but it is strong, and ought to justify the conclusion that Houston was not even secretly active in instigating the revolution. It is hardly within the bounds of possibility that he could have concealed every trace of his work, if the contrary were true. When the revolution was once begun able men were needed, and his recognized qualities and military experience carried him early to the front.

Pausing for a moment to review the evidence at this point, there appears no sufficient reason to accuse Jackson of conniving at Houston's project to revolutionize Texas or of countenancing Butler's underhanded intrigues for influencing his negotiations. On the contrary, his attitude is straightforward and apparently above reproach. It is necessary now to examine briefly his conduct during the Texas revolution.

As the result to some extent of antecedent causes, and particularly of the mutual distrust between the American colonists and the Mexican government, the Texas revolution developed rapidly through 1835. The first blow was struck in October, and by the end of the year every Mexican soldier was expelled from the country. But the next spring Santa Anna came with an overwhelming army, and for a time carried everything before him. The holocausts of the Alamo and Goliad spread horror and indignation wherever they were heard of, and struck terror to thousands in Texas. As Santa Anna advanced, a wild flight to the Sabine was begun, and women, children, and slaves formed an endless, suffering procession of refugees from the Guadalupe to the western limits of the United States. The weather was cold, it rained incessantly, and many without a conveyance struggled through the mud on foot. By rare good fortune Houston caught the Mexican general in a trap—he did not lead him into it, as is

[1] Proceedings of the meeting at Nacogdoches, August 15, 1835. MS., Austin Papers, L 6, at the University of Texas.

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commonly believed—and crushed him at San Jacinto, April 21, 1836. This stopped the panic-stricken flight from the country—the "runaway scrape", as it came to be called.

The Texan rebels had expected help from the United States, and they received it; they would unquestionably have received a great deal more, if the revolution had lasted longer. Public meetings were held in Boston, New York, Philadelphia, Pittsburgh, Cincinnati, Baltimore and Washington. Large sums of money were subscribed, and from New York, Pittsburgh, and Cincinnati companies of volunteers were sent. Throughout Kentucky, Tennessee, Mississippi, Georgia, Alabama, and Louisiana the excitement was high and many volunteers "emigrated" to Texas, the expenses of their equipment being paid by those who remained at home.[1] Even from far-off Maine at least one letter was received by the provisional governor of Texas offering military service, Messrs. Augustus and William C. White vowing "that we will act the brave part of a soldier which you wold require of us . . . we solemnly vow that we will fite or dye for your country",[2]—provided their expenses were paid to the scene of operations.

The fact that armed bands were leaving the United States to join the Texans was notorious, and brought repeated protests from the Mexican *chargé d'affaires* that the government was not sufficiently active in enforcing neutrality.[3]

It may be at once conceded that no very strenuous efforts were made to put in force the spirit of the law of April 20, 1818, but, after all, was not the law itself at fault? It gave the executive no adequate power to prevent a filibustering expedition. Forsyth industriously wrote letters to the district attorneys telling them to prosecute to the utmost all violations of the law,[4] but replies were almost uniformly to the effect that no tangible breach of the law had occurred. No doubt the attorneys frequently sympathized with the movement, and it will not be contended that the executive was indifferent to the success of the Texan rebels, but it is a fact that convictions would have been impossible. Judges Thompson and Betts of the United States circuit court of southern New York

[1] Many newspapers and some documents in the Archives of Texas might be quoted in support of the statements made above.

[2] To Governor Smith, January 10, 1836, archives of Texas, D 3237.

[3] 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., pp. 716, 720; 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., pp. 29, 30; 24 Cong., 2 sess., *Sen. Doc.*, No. 1, pp. 40, 65, 87.

[4] 25 Cong., 2 sess., *House Exec. Doc.*, No. 74, Vol. III., pp. 3–4, 23; 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., p. 36; 24 Cong., 2 sess., *Sen. Doc.*, No. 1, p. 42.

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replied to the grand jury's request for information that it was not a breach of the law to hold meetings in New York and appoint committees "to provide means and make collections for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico, now at peace with the United States". The law applied, said the court, only to military expeditions carried on from the United States, and donations were in no sense a "beginning or setting on foot or providing the means for" a military expedition from the United States.[1] It did not apply to individuals either, and was evaded by the contention that the volunteers were emigrating to Texas as individual citizens. An editorial in the *New Orleans Commercial Bulletin* declared that it did not mean "to prevent any citizen from taking passage in *any* merchant vessel, to go *anywhere* and with *any* intent, and with arms and munitions of war".[2] In the face of popular opinion and the defects of the law it was little enough, therefore, that the government could do.

In this connection should be mentioned the President's endorsement on a letter from Stephen F. Austin. Austin, with William H. Wharton and Branch T. Archer, had been appointed by the provisional government of Texas to negotiate loans and otherwise enlist sympathy in the United States. The commissioners were not very successful in obtaining money, and as news continued to reach them of the desperate situation in Texas Austin became frantic. On April 15, 1836, less than a week before the battle of San Jacinto, he addressed a letter to "Andrew Jackson, Martin Van Buren, Richard M. Johnson, John Forsyth, Lewis Cass, T. H. Benton, and to any member of the Cabinet or Congress of all parties and all sections of the United States". In it he begged that Texas be given a share in the distribution of the surplus revenue of the United States. General Jackson endorsed this: "The writer did not reflect that we have a treaty with Mexico, and our national faith is pledged to support it. The Texans before they took the step to declare themselves Independent which has aroused all Mexico against them ought to have pondered well—it was a rash and premature act, our neutrality must be faithfully maintained."[3]

[1] 25 Cong., 2 sess., *House Doc.*, No. 74, Vol. III., pp. 5–8.

[2] *New Orleans Commercial Bulletin*, November 25, 1835.

[3] Jackson MSS. A copy of the letter without the endorsement can be found in the Austin Papers, and it is printed in Raines, *A Year Book for Texas*, II. 435–436.

In July, 1836, P. W. Grayson and James Collinsworth presented themselves as agents of the Texas government, but Forsyth told them that he could not deal with them officially, since their credentials lacked the seal of their govern-

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Another question of neutrality arose over the occupation of Nacogdoches by Major-General E. P. Gaines, after the revolution was practically over. He was ordered to the south-western frontier, January 23, 1836, to enforce neutrality and keep the Indians quiet.[1] By the thirty-third article of the treaty of April 5, 1831, the United States and Mexico had mutually pledged themselves to restrain the Indians under their respective jurisdictions from hostilities and incursions,[2] and it was now feared that conditions in Texas might encourage the Mexican Indians to commit depredations which the Mexican government was in no position to punish, and that this disorder would in turn extend itself to the United States side of the border. In such an event our government held that it would be its duty to cross the frontier and check the hostilities. On a hypothetical statement of the case the Mexican minister, Gorostiza, agreed with Forsyth in this view, September 23, 1836, but he was careful to add that he was sure no such measures were required on the Texas frontier.[3] Gaines's attitude is disclosed by a letter of March 29 to the secretary of war. He said:

> Should I find any disposition on the part of the Mexicans or their red allies to menace our frontier, I cannot but deem it to be my duty not only to hold the troops of my command in readiness for action in defence of our slender frontier, but to anticipate their lawless movements, by crossing our supposed or imaginary national boundary, and meeting the savage marauders wherever to be found in their approach towards our frontier.[4]

With this disposition Gaines was perhaps none too critical of the evidence that came before him. On the strength of it he moved over to the Sabine in the latter part of April. Early in May he was instructed to use his discretion about crossing the boundary, but to go no further than Nacogdoches. Gorostiza protested that the United States had no right to enter the disputed territory,[5] and

ment. Besides, the President would not act definitely upon the subject of Texas until he had received the report of a confidential agent. He suggested, however, that they write him a private letter setting forth the essential terms of their instructions. This they did, stating the terms on which the annexation of Texas to the United States would be highly acceptable to the people of Texas. P. W. Grayson and James Collinsworth to Forsyth, July 14, 1836; Forsyth to Jackson, July 15, 1836. Jackson MSS. The letter of Grayson and Collinsworth bears date of July 16, but Forsyth says that the date is an error, as he received the letter on the 14th.

[1] 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 765.

[2] *United States Treaties and Conventions* (ed. 1889), 673.

[3] 25 Cong., 2 sess., *Sen. Doc.*, No. 1, pp. 84, 89.

[4] 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 768.

[5] 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., pp. 32–33, 35; 25 Cong., 2 sess., *House Exec. Doc.*, No. 190, Vol. VII., p. 75.

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Forsyth replied that Gaines had not been ordered to go to Nacogdoches, but not to go beyond it; he hoped that it would not be necessary, but firmly asserted that under certain conditions the United States would be justified in taking the step by the treaty of 1831.[1] On June 28 Gaines did cross the river and occupy Nacogdoches, which he held for several months. Reports soon got into the papers and Gorostiza repeatedly asked if they were true,[2] but as late as October 4 Forsyth disclaimed any direct knowledge of the matter.[3] On October 15 Gorostiza asked for his passports, and abandoned his extraordinary mission to the United States,[4] an act which his government fully approved.[5] He declared that General Gaines got his information about the Indians from Texans and their friends, which should have caused him to distrust it; his friendship for Texas was notorious, and had done Mexico great harm, thousands of volunteers having gone to help Texas who would not have done so otherwise.[6] His charge was not entirely true. Lieutenant Bonnel made an independent investigation and found evidence to indicate that Indians on the United States side were being instigated to invade Texas.[7]

To admit, however, that Gaines was over-credulous and extremely pro-Texan in sympathy is still far from showing that Jackson wished him to be so. On the contrary, it is evident that while the President was quite easy in his own mind as to his right under the treaty to cross the boundary as a necessary measure of defense he wanted no question of the necessity to exist. He had to invest General Gaines with discretionary powers, but he wrote him September 4—unfortunately a rather belated caution, one must concede—to be very "careful not to be deceived by the evidence on which an act involving so much responsibility" was to be justified; he must not take the step, "unless the peace of the frontier be actually dissolved, or there be a moral certainty that the Indians are in hostile array for that purpose and are obtaining the means of operation from the Mexican territory".[8]

The same attitude is maintained to the end of his "reign". Referring in his message of December 5, 1836, to conditions in Texas he advised strict impartiality toward the belligerents, because "the

[1] 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., p. 33.
[2] 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., pp. 44–45, 47, 49, 52, 58, 63, 68, 91.
[3] 25 Cong., 2 sess., *House Exec. Doc.*, No. 190, Vol. VII., p. 106.
[4] 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 100.
[5] 24 Cong., 2 sess., *Sen. Doc.*, No. 160, Vol. II., p. 85.
[6] 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 100.
[7] 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 774.
[8] Abstract of the letter in 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 84.

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known desire of Texas to become a part of our system . . . is calculated to expose our conduct to misconstruction in the eyes of the world".[1] And again on December 22 he recommended delay in recognizing the independence of Texas, "at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty, and to uphold the government constituted by them".[2] Finally, when Santa Anna, just released from his chains in Texas, visited Washington in January, 1837, and proposed a cession of Texas to the United States for a "fair consideration", he was answered that

as matters now stood, the U. S. could not act in the matter until we were placed in a situation to know the disposition of the Texians, when we would with pleasure when asked by the two powers interpose with our good offices to restore harmony between them. Until Texas is acknowledged Independent we cannot receive her minister or hold any correspondence with her as a nation. And as the Genl thro his Minister here cannot act[3] We can only instruct our Minister at Mexico to receive any proposition her Government may make on the subject—Until we hear her views we cannot speak to Texas.

Having then outlined to Santa Anna a proposal which under certain conditions the United States might make for an extension of her boundary to include Texas and northern California, the President continued,

But it must be understood that this proposition is made to meet the views of the Genl, and not by the U. States to acquire Territory or take advantage of the disturbed state of Mexico but to meet the wishes of her Government and secure peace and tranquility on our respective borders and lay the foundation of a permanent tranquility between the U. S. and Mexico that has so happily existed, and which has been like to have been interrupted by the civil war in Texas.[4]

[1] Richardson, *Messages and Papers of the Presidents*, III. 237–238.

[2] *Ibid.*, 265–269. It is likely that Van Buren helped the President to frame this message. At least, so much is indicated by the following memorandum (copy), found among the Van Buren MSS.: "The great and delicate question of, shall we acknowledge the Independence of Texas,—is the evidence contained in the report of our confidential agent Mr Moffet [Morfit], sufficient to shew that Texas has a de facto Govt. and the means to support it. See the Resolutions of Congress and compare the facts contained in the report with it—see report on which the independence of So America was acknowledged."

[3] On May 20, 1836, the Mexican Congress passed a resolution not to recognize any act of Santa Anna's while he was a prisoner. Gorostiza transmitted a copy of this to President Jackson, July 9, 1836, 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 37.

[4] Memorandum among the Jackson MSS., no date.

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Throughout his administration General Jackson displayed, it seems to the writer, a desire to maintain unsullied the dignity and honor of the United States in regard to the Texas question. He was not the most fortunate in his choice of agents, perhaps, and certainly Butler ought to have been summarily recalled; but he did not connive at Houston's revolutionary scheme, whatever it may have have been; he heartily condemned Butler's tortuous plotting; he did what the law permitted to enforce neutrality when the revolution began; he disapproved Gaines's invasion of Nacogdoches on the strength of the evidence submitted; and he opposed precipitate recognition of the new state when the revolution was accomplished. We are judging him largely by his own words, it is true, but one has much to do who proves that they were not sincere. For the general was characteristically neither a hypocrite nor a liar.

EUGENE C. BARKER.

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DOCUMENTS

Directorium ad Faciendum Passagium Transmarinum.

In the present number of the American Historical Review I have attempted to edit the first part of a work, hitherto only existing in manuscript,[1] which I venture to think is of great interest and value, and which has suffered from a remarkable neglect during the 450 years of printing. For an infinite deal of matter has issued from the press very inferior in all respects to this *Directorium ad faciendum passagium transmarinum* or *Directorium ad passagium,* as it is more briefly called by its author. What is here given amounts to nearly two-thirds of the entire work—which runs to about 24,000 words—is addressed to King Philip VI. of France (Philip of Valois), and was submitted to the council of the French king on July 26, 1330. In the royal registers of the French kingdom it is described as the proposal of a certain wise prelate, formerly a Dominican, and now an archbishop in the empire of Constantinople; but, as we see from the narrative itself, the writer had evidently been a missionary in Persia, and that perhaps for many years. His main object is evidently the same as that of his famous Venetian contemporary Marino Sanuto the elder, in the *Secreta Fidelium Crucis*; he aims at reviving the crusading energies of Western Europe, though primarily against the Byzantine Empire and the Eastern Church—the objects of his bitterest hate: the purpose of a legitimate crusade, against the Moslem, though undeniably present to his mind, is as undeniably in the background. On the other hand, the conquest of Russia, a land of Greek Christianity only less important than the Eastern Empire itself, and its subjugation to papal obedience, occupies a very prominent place in his thoughts; various routes to the Levant are lengthily discussed; an easy victory over the Turks is predicted; and something like a policy is sketched in outline for the administration of the Orient, thus conquered, by its new Catholic rulers.

Incidentally the "sage prelate" refers to his own wide and long experience of the Nearer and Middle East. He had seen armies of well-nigh all these countries go forth to war; he had been with

[1] Except for the extracts printed by Quétif in the *Scriptores Ordinis Praedicatorum*, I. 571–574; see below.

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Martin Zaccaria, the Genoese captain of Chios, in some of his victories over the Turks; still more, he had once made his way so far south as to lose sight of the northern pole, in a region where he found the Antarctic reach an "elevation" of 24 degrees—about the latitude of southern Madagascar. Again, after describing the races that followed the Greek rite—Slavs, Bulgars, Wallachs, Georgians, Goths and others—he tells us how in his southern wanderings he once arrived at a "fairly large" island in the Indian Sea (probably Socotra), wherein baptism and circumcision were both practised, and about which he declares, with tantalizing brevity, he could have furnished many a curious detail, if he had not regarded the whole as foreign to his subject. Once more, he relates how in Persia (where he seems to have journeyed and missionized as early as 1308) he noticed the slave markets glutted with Greek captives; on the other hand he was delighted to find that the bare rumor of an attack from Latin Christendom threw the Moslems of Iran into a state of acute alarm.

He appears to have been one of the prime agents in that more complete submission of Lesser Armenia to Rome which took place in 1318; he speaks of his residence in "Constantinople or Pera"; while from his detailed treatment of Russia and the character of his references to that country, its lack of stone or brick (save only in the Latin cities on the coast), the nature of its people, and other particulars, we may infer that he had seen for himself a large portion of the lands on the north of the Black Sea.

The authorship of the *Directorium* remains a mystery. It has been ascribed by some to that John de Cora who in 1330 was appointed by Pope John XXII. archbishop of Sultaniyah in North Persia, and who is probably the author of a certain *Livre de l'Estat du Grant Caan,* written by command of the aforesaid Pope John, which gives some valuable material for the history of the Catholic missions of the fourteenth century in Asia, and especially in China. But our present writer, though fully contemporary with John de Cora, though belonging to the same order, and though once, at any rate, associated with the same mission, cannot possibly be identified with the bishop of Sultaniyah; the former's episcopate "in the empire of Constantinople" cannot be made to correspond with any of the Persian sees; while the attitude adopted by the *Directorium* toward the Eastern Church is *toto caelo* removed from the diplomatic attitude of the *Livre du Grant Caan,* where something like an alliance is suggested between the Catholic missionaries in the Mongol realms and the native Nestorian Christians of the same countries. And if the identification with John de Cora is unsatis-

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factory, no better case has yet been made out for any other definite authorship. Very early in the manuscript history of the book a tradition seems to have arisen ascribing it to Burchard or Brocard of Mount Sion, the author of a celebrated, important, and charming work of pilgrim-travel; but as to this it is enough to say, here, that no work of a Latin Christian in the later Middle Ages shows a more liberal spirit than this *Descriptio Terrae Sanctae*, while the furious bigotry of the *Directorium* alone gives it a distinct place in the literature of European expansion at this time.

Once only has the *Directorium* received real attention hitherto,—when in 1719 Quétif printed some extracts from the work, with remarks thereon, in the *Scriptores Ordinis Praedicatorum*;[1] Sir Henry Yule's reference to our treatise in *Cathay and the Way Thither*[2] is simply and entirely based upon the few short extracts of the *Scriptores*; while even Quétif, though, here as elsewhere, showing his genius for selection and illustration, never attempts to give a general idea of the whole treatise, much less to reproduce it textually. The latter task, indeed, was no part of his business; it must be the principal part of the present undertaking.

For this edition I have used two of the three existing manuscripts of the original Latin text, viz., the Paris MS. 5138 Lat. in the Bibliothèque Nationale, and the Oxford MS. No. 43 in Magdalen College Library. The former, though a transcript of the seventeenth century, represents a rather better text than the latter, which is the work of a fifteenth-century scribe, apparently almost, if not quite, innocent of the Latin tongue, and producing his result simply by the copying of a work whose meaning he did not clearly understand. In many places I have preferred to give the Oxford scribe the benefit of the doubt; thus I assume that his manuscript reads *Ludouicus* although the writing is most plainly *Ludouicus*—here, as in hundreds of other cases, the difficulty arising, in all likelihood, from one or more accidental imperfections in the copyist's original. Yet in not a few cases M. (the Magdalen MS.) supplies better readings, and doubtless represents the original more truly, than P. (the Paris text); in the latter a revision was evidently intended, and a few corrections have been made in the margin, but this much-needed process of emendation has been very imperfectly performed.

As, on the whole, I believe the best method to be that of reproducing to the letter the most satisfactory MS. in hand, noticing in foot-page references all variations of inferior MSS. (often of course preferable to the readings of the "standard") I have tried,

[1] I. 571–574.
[2] I. 191.

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in the first place, to print the Paris MS. intact, and, in the second, have endeavored to mark every place where the Magdalen copy differs from the Paris. But I have not thought it necessary to mention every instance of certain regularly recurring forms naturally differing from those of P., such as *d* for *t* in *sicud, velud,* etc.; *c* for *t* in words like *pocius*; *i* for *y* in words like *tipus*; *y* for *i* in *Ytalia,* etc.; *n* for *m,* as in *inpugnant*; *mpn* for *mn,* as in *solempnis, dampnum,* etc.; *ff* for *F* or *f,* as in *ffrancia, Affrica*; *p* for *b,* as in *optinent*; *f* (more rarely) for *ph,* as in *faretra*; the invariable *e* for *ae* and *oe,* as in *emulatio*; the equally necessary medieval *i* for *j,* as in *iugum*; the single *r* for double *r,* as in *Saraceni*; the single *s* for double *s,* as in *Assasini*; the *t* for *ct,* as in *cuntus*; and the insertion or omission of the *h* as settled by usage before P.'s time, as in *habundans, hiis, Ierusalem.*

In the following (October) number of the REVIEW, I hope, while printing the remainder of the *Directorium,* to discuss the document, as a whole, and in each of its more interesting passages, in greater detail.

C. RAYMOND BEAZLEY.

DIRECTORIUM

In nomine Patris et Filii et Spiritus Sancti. Amen.

Incipit directorium [1]ad faciendum passagium transmarinum,[1] editum per quendam[2] fratrem ordinis Praedicatorum, scribentem experta et visa potius quam audita, quod dirigitur serenissimo Principi et Domino Domino[3] Philippo Regi Francorum, compilatum anno Domini millesimo CCC. tricesimo.[4]

De celsitudinis vestrae sancto proposito, Domine mi Rex, in Romana curia fama celebri diuulgato exultat et jubilat orbis totus quod scilicet tanquam alter prouisus de superis Machabaeus pro aemulatione legis,[5] pro zelo fidei, pro liberatione terrae Christi sanguine consecratae sumitis bellum Dei. Et quia pauper ego non possum obsequi vestrae regiae magestati[6] in curribus et in equis quod Deo teste libentius et uberius facerem si haberem, cum hoc opusculo ad passagium directorio in nomine Domini, qui in tabernaculum testimonii pelles arietum et pilos caprarum praecepit et docuit offerenda, et plus quam diuites larga munera exhibentes pauperculam commendauit duo tantum aera minuta in gazophylacium offerentem vestrae felicitatis pedibus humiliter me prosterno. In quo quidem directorio non tam aliorum relatione audita quam ea

[1] *Ad passagium faciendum,* M.

[2] *Quemdam,* M.

[3] *Sic,* P.

[4] *Ad serenissimum principem et Dominum Philippum Francorum regem illustrem. Anno domini M°CC°C. xxxij°* [1332].

[5] M. omits *legis.*

[6] *Sic,* P.

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quae per XXIIII. annos et amplius quibus fui in terris infidelium commoratus causa fidei praedicandae visa refero et experta. Licet igitur vestra potentia multos habeat directores, et sit[1] impossibile quod ad beatitudinem tantae praeeminentiae informatores non confluant undequaque, tamen hoc postulo, hoc supplico, mente tota, ut ejus mei fidelis vestrae celsitudinis ae *deuoti hoc laboratum opusculum non* repellat. Si enim aliiquicunque majora forte descripserint[2] vel promiserint grandiora, puto tamen et certus sum quod utiliora non potuerunt[3] exhibere nec ostendere veriora. Si quis vero in iis quae inferius dissero et describo punctum se reputet[4] siue laesum, non veritati nec ipsam dicenti sed sibimet irascatur potius quia talis. Non enim quisquam palpari debuit aut vereri ubi directio tanti exercitus aperitur et de tutela ac salute agitur tanti Regis. Inter haec cuperem si mereor[5] tui, Domine mi, vestigia prosequi tam sanctum [P. 2] negotium exequentis, non sicut unus de mercenariis, sed sicut unus de illis qui de micis quae cadunt de mensa tua cupiunt saturari, ut sicut haec describo literis, digito demonstrem.[6] Huic autem opusculo *directorium ad passagium* nomen dedi, quod ad significationem duorum gladiorum quorum Dominus sufficientiam attestatur, et ad typum Apostolorum, quorum numerus in duodenario consummatur, in duos libellos et duodecim partes distinctum exhibeo et completum, ut sicut gladius viuus et efficax verbi Dei ipsorum Apostolorum ministerio durata corda gentium penetrauit earumque colla[7] indomita suae[8] subdidit jugo legis, sic secundus gladius vestrae invictae potentiae ac virtutis exemptus de pharetra regni vestri, velut alter gladius Gedeonis, tabernacula hostilium nationum diuidat, deiciat, conterat, et conculcet. Amen.

Primus itaque libellus continet octo partes. Prima pars est de quatuor motiuis ad passagium faciendum. Primum motiuum est exemplum praedecessorum vestrorum Regum Franciae, qui semper inimicos crucis et fidei attriuerunt et se in istis exemplum aliis Christianorum Regibus praebuerunt. Secundum motiuum est desiderium dilatationis fidei et nominis Christiani. Tertium est compassio super perditione maximorum Christiani nominis populorum. Quartum est desiderium recuperandi terram sanctam Christi sanguine consecratam.

Secunda pars est de quinque praeambulis[9] ante inceptionem passagii ordinandis. Primum praeambulum est quod orationes fieri pro prosperitate passagii per omnes mundi ecclesias ordinentur. Secundum est quod illi qui hoc tam sanctum negotium prosequentur quantum ad duo

[1] *Sic*, M.
[2] *Scripserint*, M.
[3] *Poterunt*, M.
[4] *Reputat*, M.
[5] *Mererer*, M.
[6] *Demonstrarem*, M.
[7] *Cella*, M.
[8] *Sua vi*, M.
[9] *Panibus*, apparently, M.

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principaliter regulentur. Primo, quod vitam suam corrigant et emendent, et deinceps in melius ordinent et disponant. Secundo, quod se exerceant et assuefaciant in iis quae ad mores et disciplinam pertinent militares. Tertium praeambulum est, quod inter illos qui dominium obtinent super mare pax et concordia reformetur. Quartum est, quod de nauibus et galeis[1] ad sufficientem numerum disponatur. Quintum est, quod in primo futuro vere duodecim galeae pro maris custodia sint [M. 1 verso] armatae. [P. 3] Tertia pars vias quatuor designat, ut ex eis possim eligere meliorem. Prima via est per Africam, quae monstratur et monetur penitus euitanda. Secunda est per mare; quae non est pro militibus et pro equis ullatenus facienda. Tertia est per Italiam, via tuta et bona, cujus progressus tangitur esse triplex. Primus est per Aquileiam et Istriam, etc., ut infra. [2]Secundus per Brundisium ciuitatem Apuliae, etc., ut infra. Tertius per Hydrontum ciuitatem similiter Apuliae, etc., ut infra.[2] Quarta via est per Alamaniam[3] et Ungariam, via facilis et salubris.

Quarta pars est quae istarum viarum sit pro Rege et personam suam sectantibus, et quae aliis[4] diuersarum partium exercitibus eligenda. Pro Rege via per Alamaniam et Ungariam eligitur facienda. Pro exercitatis in mari et pro rerum custodia deputatis quae per mare portabuntur eligitur via maris. Pro aliis per viam Aquileiae et[5] per progressus Italiae via describitur eligenda, sicut magis ipsi viae siue progressui sunt propinqui.

Quinta pars, quia monet per regnum Rassiae et per Graecorum imperium transeundum, continet in se tria. Primo, quod non sit cum eis pactum aliquod faciendum. Et ad hoc probandum nituntur quatuor rationes.

Prima ratio sumitur ex parte fidei, quam ipsi tanquam haeretici abiciunt et impugnant. Secunda sumitur ne videatur pars accipi[6] contra Deum et pactum fieri cum inferno. Tertia sumitur ex parte Romanae Ecclesiae, quam ipsi ut meretricem et malignantem despiciunt et contemnunt.[7] Quarta accipitur quia non est praestandum auxilium siue fauor fidei et Ecclesiae inimicis.

Quinta pars continet secundum, quod scilicet non sit in eis ullatenus confidendum. Et hoc per alias quatuor rationes. Prima ratio accipitur a proprietate infidelitatis omnium orientalium nationum. Secunda sumitur quia ipsi non solum sunt de natione sed etiam de domo magis proditoria orientis. Tertia accipitur ab ipsorum persona. Nam non solum sunt de natione et de domo proditoria et iniqua, sed ipsi[8] proditores

[1] *Galiis,* M.
[2] *Secundus . . . infra.* These two clauses are omitted by M.
[3] *Alamanniam,* M., and so elsewhere.
[4] *Pro aliis,* M.
[5] *Aquileye ac,* M.
[6] M. omits *accipi.*
[7] *Dispiciunt et contempnunt,* M.
[8] Here M. adds *per nouas proditiones.*

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patrum suorum proditiones superant et extendunt. Quarta ratio sumitur a [P. 4] casu simili, in quo Graeci fuerunt machinati mala plurima[1] contra Francos. Quinta insuper pars demonstrat tertium, ostendendo quatuor causas justas, licitas, et honestas ad dictorum dominium inuadendum. *Prima ratio* est, *quia iste qui nunc dominatur in* Graecia Imperatorum lineam, originem, vel sanguinem non attingit. Secunda, quia nullum jus obtinet nisi proditorium, quod in parentum suorum proditionibus acquisiuit. Tertia est, quia non detinet in damnum alterius cujuscunque,[2] sed in detrimentum specialiter domus vestrae. Quarta est vindicta effusi sanguinis magnorum et multorum fidelium et nobilium Gallicorum. Sexta pars continet quatuor facilitates imperium obtinendi. Prima est, quia Graeci Deum, sapientiam, vitae sanctitatem, et probitatem armorum perdiderunt postquam a fide catholica discesserunt. Secunda est, imperii lacrymabilis depopulatio et lamentabilis solitudo. Tertia, ex eorum inordinato temporali capite demonstratur.[3] Quarta prouenit quia si inordinatus est eorum temporalis Dominus Imperator, inordinatior est sacerdos.

Septima pars continet duas partes. Prima[4] dat modum ad Thessalonicam[5] et Constantinopolim capiendas; quibus habitis, totum imperium obtinetur. Secunda[6] ostendit septem utilitates euidentes quas ex captione imperii passagium consequetur. Prima est, quod Ecclesia tota orientalis ad fidem et obedientiam Romanae Ecclesiae reducetur. Secunda est, quod de ipso imperio[7] victualia copiose pro toto passagio habebuntur. Tertia, quod exercitus non dimittet hostem post se de cujus proditionibus habeat dubitare. Quarta, quod totum nauile habebit portus plures optimos et securos. Quinta, quod qui passagium in posterum subsequentur habebunt loca ad quae declinando poterunt recreari. Sexta, quod illud quod de terra sancta et aliis terris infidelium conquiretur per istud imperium poterit conseruari. Septima, quod si con[M. 2 r]tingeret exercitum sine capite remanere ibi reduci poterit et tueri.

[P. 5] Octaua pars continet sex ordinationes necessarias ad acquisitum imperium sub Francorum dominio[8] conseruandum. Prima, quod omnes Latini aut comburantur[9] aut de imperio expellantur qui fidem Romanae Ecclesiae negauerunt et Graecorum perfidiae adhaeserunt. Secunda, quod omnes eorum monachi qui fidem veram non receperint de imperio ad partes occiduas expellantur et quod nullus ad illum ordinem in[10] posterum in monachum induatur. Tertia, quod quilibet

[1] *Pluri plurima*, M.
[2] *Cuiusque*, M.
[3] *Demonstrantur*, M.
[4] *Primo*. M.
[5] Tessalonicam, M.
[6] *Secundo*, M., preceded, apparently, by a 2, an early instance of Arabic figuring.
[7] *Impio*, M.
[8] *Domino*, M.
[9] *Comburentur*, M.
[10] *Im*, M.

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tradat unum de suis filiis Latinis moribus et literis imbuendum. Quarta, quod omnes eorum libri diligentius comburantur[1] in quibus errores contra fidem catholicam continentur. Quinta, quod omnes in sancta Sophia congregati, facta confessione fidei, Francorum dominio spontanee se submittant. Sexta, quod[2] Graecorum ecclesiis quinque obseruantiae auferantur quos in subuersionem fidei et dominii esse constat. Primam obseruantiam habent quia in tota Graecorum Ecclesia non est religio nisi una, Calogerorum scilicet perfidorum. Secundam, quod nullus, nisi sit Calogerorum, sit[3] episcopus siue Abbas. Tertiam, quod soli Calogeri confessiones audiunt[4] tam clericorum quam etiam laicorum. Quartam, quod saepe pro quibusdam suis obseruantiis ad suas conueniunt ecclesias, et ibi liberius conspirationes inueniunt[5] et pertractant. Quintam, quod quilibet qui vult et potest facit ecclesiunculam in suo praedio siue domo, ubi secretius tractant conciliabula supradicta. Continet etiam[6] haec pars quinque remedia contra quinque praedicta. Continet insuper et ostendit facilitatem regnum Rassiae obtinendi.

Secundus libellus continet quatuor partes. Prima pars et nona continent[7] sex diuersitates hominum a quibus, quantum ad quatuor, debetur[8] pro nostri custodia praecaueri, videlicet in reuelatione secreti, in conuictu contubernii, in familiaritate obsequii, et in commissione cujusque periculosi negotii. Primi sunt Armeni. Secundi sunt Gasimili.[9] Tertii sunt Assuriani.[10] Quarti sunt Murtati.[11] Quinti sunt Baptizati.

Praedicatorum[12] autem mores in singulis[13] capitulis describuntur quantum spectat ad personae vestrae [P. 6] bonam custodiam et tutelam. Sexti sunt Assassini,[14] qui tanto afferunt majus periculum et important quanto minus ab aliis cognoscuntur.

Secunda et decima pars ostendit breuissimi transitus locum maris [15]qui Hellespontus et Bosphorus[15] et Brachium sancti Georgii nominatur. Continet autem haec pars quinque rationes euidentes quod ibi sit magis congruum et necessarium hostes crucis inuadere quam in aliqua parte mundi. Prima ratio est, quia a Francia usque Hierusalem non est plus de mari nisi ille breuis transitus nauigandum, qui ita breuis est quod fere de una ripa ad aliam vox clamantis hominis audiretur. Secunda

[1] *Comburentur*, M.
[2] *Quod a*, M.
[3] *Fit*, M.
[4] M. adds *omnium*.
Adinueniunt, M.
[5] *Et* for *etiam*, M.
[7] *Continet*, M.
[8] *Debetis*, M.
[9] *Gasmili* or *Gasimli*, M.
[10] *Suriani*, M.
[11] *Murcati*, M.
[12] *Predictorum*, M., as P. corrects in margin.
[13] *Singulis suis*, M.
[14] *Assasini*, M. here and elsewhere.
[15] *Qui autem Ellespontus et Boforus*, M.

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est, quia ibi possunt hostes inuadi cum minori nostrorum periculo et cum majori facilitate et [1]commodo. Tertia, quia[1] in toto illo giro maris omnes portus alii per hostes crucis possidentur in quibus posset tute exercitus recreari. Quarta, quia caput hostile est primitus conterendum ubi Turchi plus caput esse [2]Sarracenorum quam Soldanus per[2] respectum ad armorum potentiam ostenduntur. Quinta ratio ostendit[3] per tria media quod facilius[4] et utilius est Turcos prius inuadere quam Soldanum. Primum medium est, quia Turchi possunt Soldanum[5] ac subsidium exhibere, et non e conuerso. Secundum est, quia posito quod Soldanus posset Turchis subsidium exhibere, nostris obsistere parum posset, cum Ægyptii sint effaeminati et viles propter otium et delectationes carnis assiduas quibus vacant. Tertium medium est de facto Petri, scilicet heremitae, qui multa regna in breui tempore acquisiuit, et hoc quia prius Turchos diminuit et attriuit.

Tertia et undecima pars ostendit loca[6] ab omni parte quorum[7] pro exercitu victualia habebuntur, ab aquilone, id est, a sinistris pro more pocicum[8] de multis prouinciis quae specialiter describuntur, ab occidente, id est, a tergo, de [9]Thracia, Macedonia, etc., ubi etiam loca[9] nominantur, a meridie, id est, a dextris, loca et prouinciae describuntur portus in generali, et describuntur[10] [M. 2 v] ad quos valeant declinare omnia vasa victualia deportantia.[11] Ad orientem etiam, id est, ante, quia ipsa Turchia inter omnes mundi prouincias est fertilis et abundans. [P. 7] Quarta et duodecima pars, quae insuper finem facit, sex continet rationes quod est de Turchis faciliter triumphandum. Prima ratio est, quia ipsorum malitia est completa, et Dominus est vobiscum. Secunda, quia Turchi in se ipsos multipliciter sunt diuisi. Tertia, quia debita[12] capita sua, qui bella nouerant, perdiderunt. Quarta, quia suam militiam instaurauerunt de Graecis Sarracenatis captiuis empticiis atque seruis. Quinta, quia sine armis defensiuis sunt, et modum bellandi et industriam nullam habent. Sexta [13]prophetiam quam[13] habent tam ipsi quam alii Sarraceni quod his temporibus per quendam Francorum Principem debent destrui et deleri. Amen.

Post haec admonetur quod propter praedicta non sunt belli dispositio et prudentia et diligens custodia negligendae. *In fine omnium* est intentio dirigenda quod soli Deo honor et gloria tribuatur.

[1] *Comodo. Tertia est, quia*, M.
[2] *Saracenorum quam Danorum per*, M.
[3] *Ostenditur*, M.
[4] M. here adds *melius*.
[5] M. here adds *defendere*.
[6] M. here adds *et regiones unde*.
[7] M. omits *quorum*.
[8] *Per mare Ponticum*, M. as P. corrects in margin.
[9] *Tracia, Machedonia, etc., ubi loca eciam* M.
[10] *Exprimuntur*, M.
[11] *Deportantes*, M.
[12] M. omits *debita*.
[13] M. here adds *quod* and reads *quandam* for *quam*.

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Prima pars. De quatuor motiuis ad passagium faciendum.

Primum igitur motiuum est ut praedecessorum vestrorum nobilium Regum Franciae honorem apud homines et gloriam apud Deum, quae[1] fuerunt extremis operibus[2] et ex virtuosis fidei actibus assecuti, non in aliquo minuatis, sed continuatis virtutibus in melius[3] et melius augeatis.[4] Tempore namque quo Reges Franciae Christianitatis nomen et baptismi signum et gratiam susceperunt fuerunt inexpugnabile scutum fidei, brachium ecclesiae, malleus et petra durissima crucis et fidei inimicos feriens et prosternens, lucis exempli[5] columna firmissima in passagiis et aliis bonis procedens ac praecellens, docens et dirigens cunctos Reges et populos Christianos. Haec faciliter poterit reperire omnis qui historias legerit[6] antiquorum in haeretica prauitate debellata in suo late dominio et fugata, in ecclesia Romana saepius a tyrannicis[7] oppressionibus liberata, et a variis tribulationibus releuata, in peste[8] Sarracenica de Aquitaniae, Prouinciae, Hispaniae, ac Terrae Sanctae finibus effugata, ita ut non minus imo[9] magis videantur ardorem fidei atque zelum,[10] ecclesiae reuerentiam et honorem, desiderium ampliationis cultus et nominis Christiani quam ipsum regnum jure successionis et dono [P. 8] hereditario possedisse. Quod vos tanto[11] magis debetis amplecti, imitari, et perficere mente prompta quanto prae ceteris ad haec plura dona vobis contulit clementia conditoris, prudentiam videlicet in agendis, prosperitatem in bellis, personae strenuitatem, aetatis floridam juuentutem, rerum opulentiam, regni totius pacem atque concordiam, ampliationem dominii, et in vestro animo, nisi, quod absit, velitis extinguere, rectum propositum et desiderium omnis boni. Et insuper, quod non sine vero Dei et justo judicio nec sine diuinae prouidentiae ineffabili dispositione factum existimo,[12] talis tanti regni diadema insuspicabilis[12] suscepistis ad hunc finem non ambigo ut sicut ipse Deus vobis regimen tam excellens super omnia regna mundi et tam celebre dominium praeparauit, sic et vos ejus ampliationem nominis late per orbem Rex inuictus, pugil fortis ac strenuus dilatetis.

De secundo motiuo ad passagium faciendum.

Secundum motiuum est desiderium et affectus dilatationis fidei et nominis Christiani. Quando enim praedicationis tuba et sonus praeconii verbi Dei in terram exiuit et insonuit uniuersam, Christus Deus et

[1] *Qui*, M.
[2] *Temporibus*, M.
[3] *Maius*, M.
[4] M. adds here *a*.
[5] *Exemplis*, M., which reads *columpna* here and elsewhere.
[6] *Legunt*, M.
[7] *Et tironnas*, M.
[8] *Peste* M. repeats.
[9] *Immo*, M.
[10] *Telum*, M.
[11] *Quos tanto*, M.
[12] *Talis et tanti . . . dyadema insuspicabiliter*, M.

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Dominus in omni natione [1] et tribu a populis[1] colebatur. Hoc historiae referunt, hoc sacrum eloquium attestatur. Nunc autem, quod est cum dolore cogitandum et cum gemitu referendum, apud illos maxime qui in sorte Domini partem habent ex una parte porcus ille immundus et canis foetidus[2] et execrandus minister diaboli Machometus mundi partem maximam occupauit, et cum suis spurcitiis corrupit innumeros et infecit. Ex altera vero parte infidelitatis zizania in Christianorum cordibus, campo utique quondam Domini, succreuerunt et mundi vetustas,[3] quae Deum fide cognouerat et mente susceperat, errorum ac vitiorum spinas et tribulos germinauit, doctrina veritatis euanuit, et emarcuit [M. 3 r] fides vera. Sicque amandus et sequendus ab omnibus Jesus Christus exulat expulsus ab omnibus et fugatus, exceptis inquam[4] sub obedientia Romanae ecclesiae constitutis et per Dominum Sabaoth relictis prouide quasi semen, ne Sodomae et Gomorrhae similis efficeretur[5] totus orbis. Cum viro[6] ergo Jesu Christo et ejus fide jaceremus in [P. 9] extrema mundi fugati et in terra habitatae valde parua particula angustati non sine omnium fidelium Christianorum dedecore et opprobrio angulati. Si enim, ut alias asserui et probaui, mundi pars habitata per homines in decem diuideretur partes, nos, qui veri Christiani sumus et dicimur orthodoxi decima pars non sumus, qui tamen consueuimus esse totum. Quod sic deduci poterit et ostendi. Ab antiquis namque de quarta[7] ad habitationem hominum et animalium commodata facta fuit diuisio tripartita, ut Asia medietatem unam integram, et aliam medietatem in duas partes diuisam Europa et Africa obtinerent.[8] Nunc autem ita est quod in tota Africa, in qua quondam gloriose fluoruit cultus Christi, non est aliquis populus Christianus. In Asia vero, etsi sint multi populi et innumeri Christiani, fidem tamen veram non habent, et [9]doctrina euangelica non obseruatur.[9] In Europa autem, quae pars nostra est, sunt multi populi qui pagani existunt et [10]confini cum Theutonicis[10] et Polonis. Sunt enim[11] in aliqua parte Hispaniae[12] Sarraceni. Sunt etiam in Europa multi et diuersarum linguarum populi Christiani, qui nobiscum in fide non ambulant nec doctrina. Sunt enim Raceni,[13] qui plusquam XL dietis in terrae spatio protenduntur. Et isti sunt Boemis vicini, et confinant cum Polonis. Est etiam imperium Bulgarorum, quod tenet dictas amplius quam viginti. Post hos sequitur Sclauonia, ubi

[1] *Ex tribu et populo*, M.
[2] M. adds here *execratus*.
[3] *Vastitas*, M.
[4] M. here adds *nobis* (or possibly *vobis*).
[5] *Efficeretur similis*, M.
[6] *Nostro*, M.
[7] *Quarte parte mundi ad*, etc., M.
[8] *Affr . . . opt . . .*, as elsewhere, M. (see introductory note).
[9] *Doctrinam euangelicam non obseruant*, M.
[10] *Confines cum Theotonicis*, M.
[11] *Etiam*, M.
[12] *Yspanie*, as elsewhere, M.
[13] *Ruteni*, M.; P. corrects in margin to *Rutheni*.

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sunt multa regna, videlicet Rassiae, Serviae, Chelmeniae,[1] Crouaciae, Zeniae.[2] Isti ab una parte confinant[3] cum Vngaris, ex altera cum Graecis, ex altera vero cum Dalmatinis, cum Albanensibus, et etiam cum Blaquis. Potest et aliter demonstrari quod nos de mundo habitato minimam [4]partem seu[4] particulam obtinemus ut cum psalmista possimus veraciter deplorare, *Ad nihilum redactus sum, et nesciui.* Asia namque, quae medietatem mundi habitati describitur obtinere,[5] longe plus tenet quam in descriptione climatum designetur. Quare autem tota Asiae continentia non fuerit designata: hanc puto fuisse causam, [6]id est, aut quia erat[6] sic in illis temporibus habitata, vel si erat sic habitata, hoc ad describentium notitiam non peruenit, sicut multa loca et prouincias inuenimus [7]mensus polum [P. 10] arcticum[7] habitata, quae extra majorem latitudinem ultimi[8] climatis esse constat, cum in illis locis polus arcticus plus quam quinquaginta duobus gradibus eleuetur, quae est, ut praemittitur, major climatum latitudo. [9]Ergo pro meo proposito[9] per me visum adicio et expertum. Cum enim proficiscerer inter gentes causa fidei praedicandae, transiens infallibiliter sub et ultra tropicum aestiualem, sub [10]aequinoctio me inueni.[10] Quod probatur ex tribus demonstratiuis euidentius argumentis. Primo, quod in loco illo[11] in quantitate diei ac noctis nullo anni tempore alicujus horae[12] seu etiam momenti sensibilis differentia notabatur. Secundo, quod existente sole in primo gradu arietis et librae, erat ibi in meridie umbra recta. Tercio quod stellas illas [13]tutuerunt proprii quibus[13] polos mundi videbam in aliqua parte noctis istas scilicet ad aquilonem, illas autem ad meridiem super circulum horizontis[14] simul et aequaliter eleuatas. Omitto[15] causa breuitatis multa alia argumenta, licet essent audientium auribus curiosa. Processi ultra[16] meridiem ad locum ubi polum nostrum arcticum non videbam, et videbam polum antarcticum circa viginti quatuor gradus[17] eleuatum. Ab isto loco ulterius non processi. Mercatores vero et

[1] *Chemeline*, M.
[2] *Zence*, M.
[3] *Confimant*, M.
[4] M. omits these two words, *partem seu.*
[5] M. omits *obtinere.*
[6] *Scilicet, aut quia non erat*, M.; P. adds *non* in margin.
[7] *Versus polum articum*, M.; P. corrects *mensus* in margin to *versus*; *artic-* for *arctic-*, throughout, in M.
[8] *Ultini*, M.
[9] *Ego . . . pposito vinum*, M., apparently.
[10] *Equinocacione inueni*, M.
[11] *In illo loco*, M.
[12] *Ore*, M.
[13] *Circuerunt propinquius*, M.; P. corrects in margin to *intuerunt.*
[14] *Orizontis*, as elsewhere, M.
[15] *Quinto*, M., apparently.
[16] Here M. adds *versus.*
[17] *Gradubus*, M.

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homines fide digni passim[1] ultra versus meridiem procedebant usque ad loca ubi asserebant polum antarcticum quinquaginta quatuor gradus[2] eleuari. Conjuncta autem minori latitudine climatum, quae est viginti duorum graduum, quibus principium primi climatis vel circa ab aequinoctio distat cum illis quinquaginta quatuor gradus quibus polus antarticus eleuabatur in loco ad quem mercatores supra diximus peruenisse, constat quod patent quatuor conclusiones diligentius intuenti. Prima, quod plus sit extra climata versus ori[M. 3 v]entem atque meridiem habitatum quam sit totum spatium infra minorem et majorem latitudinem climatum assignatum. Secunda, quod major est pars Asiae quam communiter assignetur. Tertia, quod non est friuolum neque falsum Antipodes assignare. Quarta, quae magis venit ad propositum nostrum,[3] quod nos, qui veri sumus Christiani,[4] non dicam decima, sed et vicesima pars non sumus. Tamen licet ita pauci simus[5] et, ut praedicitur,[6] quasi in angulo permodico esartati,[7] hoc sentio hoc assero ut expertus, quod si ista nostra parua particula in [P. 11] una parte staterae[8] et totus alius magnus mundus in parte altera ponereter, haec sicut aurum inter metalla grauior viribus et virtutibus appareret, non solum in doctrinae veritate et fidei puritate, non solum in largitione suscepta diuinae gratiae ac donorum et euidenti operatione miraculorum, quibus exclusis gentibus uniuersis quae omnibus istis carent, nos Deo speciali peculio gratos efficit et ostendit, sed quantum ad prudentiam naturalem et etiam acquisitam, quantum ad mores domesticos et ciuiles, quantum ad modum viuendi ordinatum, magnificum, et honestum, quantum ad diuitias, et maxime quoad usum qui ipsas reddit licitas atque bonas, quantum ad nobilem et prudentem[9] usum armorum et bellandi strenuam probitatem, quantum etiam ad bonum regimen et justam potentiam dominandi, et breuiter quantum ad omnia quae [10]conjunctini hominem honestant[10] nobilitant, et exornant, omnes praecellimus nationes. Per praedicta ergo monemur, inducimur, et urgemur quod [11]sicut ipse Deus, qui in nos[11] largitatem suae dulcedinis ampliauit prae ceteris gentibus naturalia, spiritualia, et temporalia tanquam [12]filiis tribuendo, ita et nos pro dilatatione sui cultus et nominis animosius et virilius insistamus, et quae ab ipso talenta recepimus ad usuras multiplicanda utiliter exponamus, ne sicut seruus piger et inutilis condemnemur et damnose ut verecunde a iusto domino reprobemur.

[1] *Passim* (?), M.
[2] *Gradubus*, M.
[3] *Nostrum propositum*, M.
[4] *Christiani sumus*, M.
[5] *Sumus*, M.
[6] *Predicetur*, M.
[7] *Coartati*, M.
[8] *Statere*, M.
[9] *Prudentem et nobilem*, M.
[10] *Connictum* or *coniunctum* (?) *hominum honestauit*, M.
[11] *Ipse sicud Deus in nos*, etc., M.

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De tertio motiuo ad passagium faciendum.

Tertium motiuum ad passagium faciendum est compassio super perditionem maximorum Christiani nominis populorum. Circa quod sciendum est[1] quod sunt in mundo tres maximae nationes, videlicet Christianorum, [2]Tartarorum, et Sarracenorum; inter quas Christianorum[2] natio, malorum scilicet et bonorum, major esse asseritur et probatur. Igitur praeter illos Christianos quos superius memoraui,[3] qui in parte nostra Europa obtinent sedes suas, videlicet Graecos, [4]Ruthenos, Bulgaros, Sclauos, Blaquos,[4] quos omnes cauda sectae Graecorum per errorum ac scismatum deuia ad inferna secum detrahit et inuoluit, sunt nihilominus et alii multi populi Christiani tam meridiei quam aquilonis, quam etiam orientis, qui orthodoxos se esse reputant et defendunt ac verae fidei professores; [P. 12] quorum aliqui Graecorum tenebris exaequantur,[5] alii vero diuersarum sectarum erroribus implicantur; qui etiam mutato et dimisso nomine Christiano, ab ipsis sectis vel eorum sectarum inuentoribus nomina sortiuntur. Est igitur gens quaedam quae vocantur Gothi,[6] a quibus illi Gothi fuerunt qui bellis, ferro et igne partes occiduas attriuerunt. Sunt etiam aliae gentes declinando ab aquilone versus orientem, scilicet Ziqui, a quibus Scythae, [7]Auogasi, a quibus Vandali, Soaui, a quibus Hunni,[7] Alani, a quibus Alani, ut creditur, originem habuerunt. Sunt insuper Georgiani, quos Graeci Iberos[8] nunc apellant eo quod de Hispania,[8] [Hispania] enim ab Ibero[8] fluuio [9]Iberia nominatur. Hae[9] omnes gentes plusquam octoginta dictarum spatio diffunduntur, quae et Graecorum Ecclesiam in suis erroribus aemulantur. In partibus etiam orientis sunt multi populi Christiani sub Imperatoris Persidis dominio[10] constituti. Est enim quoddam Graecorum imperium quod nunc a Trapezunda regali et metropoli ciuitate Trapezundarum imperium vocitatur, sed antiquitus Cappadocia[11] dicebatur. Est et major Armenia, magna patria et diffusa, super cujus montes arca[12] Noë legitur et ostenditur quicuisse; super quam [M. 4 r] Imperator Persidis dominatur. Sunt insuper in eodem imperio Jacobitae a quodam[13] Jacobo haeretico et Nestoriani a Nestorio[13] similiter haeretico, ut dementati, ita et[14] nominati, qui et de Chaldaea

[1] *Est sciendum*, M.

[2] These six words, *Tartarorum . . . Christianorum*, are omitted by M.

[3] *Memoriani* or *memoriam*, M.

[4] *Rutenos . . . Blacos*, M.

[5] *Excecantur*, M.

[6] *Goti*, M., as elsewhere.

[7] *Anogasi . . . Uuandali, Soani, . . . Humi*, apparently, M.

[8] *Yb . . . Ysp . . .*, here as elsewhere, M., which after *de Hispania* adds *perueuerunt Yspania enim*, etc.

[9] *Yberia . . . Hee*, M.; see previous note.

[10] *Domino*, M.

[11] *Capadocia*, M.

[12] *Archa*, M.

[13] M. omits *Jacobo* and reads *Nestorini . . . Nesterio*.

[14] *Etiam*, M.

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et de Asia, unde traxerunt originem, occupant et populant magnam partem. Ultra versus meridiem procedendo est quaedam insula in mari Indico satis magna, ubi populus circumcisionem obtinet pariter et baptismum. De qua quidem insula dicere quomodo aut qualiter illuc pervenerim, et de conditione gentis illius,[1] et de moribus ac modo viuendi, et[2] de consuetudinibus et legibus et modo mosario[3] et extranco dominandi, si ad nostrum propositum conueniret, esset audientibus curiosum. 'Ad haec magis ulterius'[4] meridiem sunt Æthiopes Christiani, gens maxima atque potens, quae quoniam[5] magna valde obtinet ac diffusa. Hi tanti[5] tam validi, et tam fortes quod unum regnum de istis, quod quidem vocatur Nubia, confinans[6] cum Ægypto, aliquando de Soldano Babyloniae victoriam obtinuit et [P. 13] triumphum. Habent isti populi prophetiam quod aliquando exibunt et transilient[7] montes illos quibus versus Ægyptum nunc resident circumclusi et cum praedictis Nubianis, qui extra praefatos montes obtinent loca sua, Ægyptios et Arabes destruent et vastabunt, Mecam capient et destruent,[8] sepulchrum comminuent et corpus incendent prophani ac perfidi Machometi. De praedictarum autem gentium quas latius memorauí[9] conditionibus, moribus, ritibus,[10] et erroribus, variis et diuersis dicere sigillatim proprium volumen requireret et tractatum. Sufficit ad nostrum [11]eos nominasse[11] et earum multitudinem induxisse, quatenus per hoc videamur motiuum sufficiens ad faciendum passagium demonstrasse, ut scilicet tanti populi a suis erroribus eruantur et ad cognitionem veritatis ac fidei reducantur, sicut alias reductos legimus esse quando fidei veritas et doctrina vigebant[12] in partibus orientis.

De quarto motiuo ad passagium faciendum.

Quartum motiuum ad passagium faciendum est desiderium quod in Christianorum cordibus esse debet, recuperandi videlicet terram sanctam nostrae hereditatis partem praesignatam, a sanctis Patriarchis[13] optatam, a Deo ipsis et nobis in eis promissam et datam, obtentam ab eorum filiis et possessam, super quam caelos legimus patuisse et angelos saepius descendisse et multa secreta Dei utroque tempore, legis videlicet naturae, scripturae, et gratiae, electis hominibus ostendisse, ut non videretur nec

[1] *Ipsius*, M.
[2] M. omits *et* here.
[3] *Irrisorio*, M.
[4] *Adhuc magis ulterius versus*, M.; P. corrects *ulterius* in margin to *versus*.
[5] P. corrects *quoniam* in margin to *quidem*. M. keeps *quoniam* and after *tanti* adds *sunt*.
[6] *Confimans*, M., which of course reads *Egipto* as elsewhere.
[7] *Transibunt*, M.
[8] *Dirucnt*, M., which also reads *sepulcrum*.
[9] *Memoriani* or *memoriam*, as before, M.
[10] *Ritubus*, M.
[11] *Nostrum propositum nominasse et*, M.
[12] *Florebant*, M.
[13] M. adds *et* here.

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esset aliud nisi domus Dei et veraciter porta caeli, ex qua Reges secundum carnem nostri Domini genitores et Prophetae nuntii nostrae fidei[1] et praecones salubriter prodierum, in qua reuelationes, oracula, visiones, signa multa, et figurae variae sunt ostensa quae nostrae electionis ac reparationis certitudinem praedicebant et veraciter,[2] quam ipse Deus elegit, honorauit, atque sacrauit ut ibi verbum caro fieret, homo Deus ex virgine mirabiliter et ineffabiliter nascendo prodiret, ubi[3] vellet Deus homo factus in terris videri et cum hominibus conuersari ut ubi pater in voce audiretur, filius [4]manibus tractaretur et aquis Jordanis[4] tingeretur, Spiritus Sanctus in [5]columbae specie[5] videretur, et sic per angelorum [P. 14] frequentiam et trinitatis praesentiam paradisus alter quodam modo probaretur, ut inquam Christus ibidem salubria exempla praeberet, diuina et admiranda doceret inusitata atque stupenda miracula exhiberet, ut ibi in medio terrae nostram salutem operaretur, ibi nostrae seruitutis opprobrium tolleretur, ibi nostrae redemptionis pretium solueretur, quae tandem Dominum mortuum in se commendatum, suscepit et triduo custodiuit, dum ipse[6] inferni claustra petebat, portas aereas et vectes ferreos confringebat, diaboli potentiam destruebat, et sanctos, quos diu captiuos tenuerat, liberabat, quae denuo[7] ipsum Christiani sanctorum patrum qui eum verbis praedixerant[8] comitatum caterua exhibuit viuum reddidit gloriosum, in qua [M. 4 v] Deus ipse adhuc fuit quadraginta diebus cum resurrectionis gloria conuersatus, in qua suam praesentiam discipulis frequenter ostendit et se palpandum exhibuit et cum eadem vera carne quam ex matre virgine sumpserat, cum qua et in cruce mortem exsoluerat, se veraciter resurrexisse ostendit argumentis variis et expressit,[9] quae sanctos Christi Apostolos, Euangelistas, et Discipulos generauit, qui omnium quae Christus intrando, morando, et exeundo gesserat testes,[10] rectores et gubernatores nouellae Ecclesiae, magistri ac[11] doctores nouellae fidei salutis existunt,[11] de qua Christus idem caelorum ac terrae dominus et inferni caelos ascendit, ac nostrae carnis substantiam in patris dextera[12] collocauit, et nobis patens iter ostendit quo caput debeant membra sequi, super quam se spiritus sanctus effudit et in ignis ac linguae forma et sonitu repentino corda credentium illustrauit, docuit, et firmauit, super quam idem Christus iterum est venturus et causas omnium auditurus, ad quam postremo sunt omnes qui fuerunt, sunt, et erunt homines aduenturi rationem de bonis

[1] *Fidei nostrae,* M.
[2] M. adds *ostendebant* here.
[3] *Ut ibi,* M.
[4] *In manibus tretractaretur . . . Iordanicis,* M.
[5] *Collumbe apecie,* M.
[6] M. omits *ipse.*
[7] M. omits *denuo.*
[8] Here M. adds *figuris ostenderant et pure crediderant.*
[9] *Expressis,* M.
[10] M. adds *essent* here.
[11] M. reads *et* for *ac* and omits *existunt.*
[12] *Dextram,* M.

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et malis actibus[1] reddituri et justum judicium audituri, ut illuc mali et reprobi tristes et inuiti compareant ubi redemptionis pretium utiliter est impensum, quod ipsi rebelles suis prauis operibus contempserunt, et illuc justi gaudentes et laeti conueniant ubi incarnati verbi mysterium mirabiliter est ostensum, quod ipsi obedientes fide et gratia susceperunt. Sed si sit qui consideret [P. 15] atque ploret, attendendum est a quibus nunc inuasa[2] et occupata nostra praeclara hereditas detinetur, ab[3] hominibus utique sine Deo, sine lege, absque foedere, sine misericordia, sine fide, ab[5] hominibus spurcidis et immundis et omnis veritatis, puritatis, bonitatis, atque justitiae inimicis, hostibus crucis, blasphemis Dei,[4] persecutoribus nominis Christiani, uxorum abusoribus, masculorum concubitoribus, brutorum oppressoribus, naturae subuersoribus, morum destructoribus et virtutum, per praeceps currentibus atque ruentibus per nephanda scelera, per inaudita vitia et peccata, tanquam instrumenta diaboli, vasa Luciferi, templum nequitiae, habitatio Sathanae, seruati[5] ultionis judicio et aeternae damnationis incendio deputati; quorum mens immunda,[6] caro pudenda, vita coenosa,[7] verba illecebrosa, conuersatio foetida, omnis eorum cogitatio, voluntas, et intentio omni lubricitati dedita et omni spurcitiei[8] obligata. Tales sunt qui nos de illis mundi finibus expulerunt et in hunc paruum terrae angulum fugauerunt atque cum nostro ac fidei nostrae opprobrio artauerunt et quasi immunda quisquilia et omnium peripsema[9] projecerunt. Tales sunt qui locum Dei desolauerunt, ciuitatem sanctam matrem nostrae fidei comederunt. Tales sunt qui sanctorum sancta conculcant, loca veneranda in vastitate hostili deturbant atque molestant, templum polluunt, munda inficiunt et corrumpunt. Tales inquam sunt qui Hierusalem in pomorum custodiam posuerunt, in circuitu ejus Christianorum sanguinem effuderunt, carnes sanctorum terrae bestiis projecerunt, morticinia[10] seruorum Dei coeli volatilibus posuerunt. Tales vere sunt astuti in malo, ignorantes in bono, omni probitate carentes, prudentiam nisi in malis actibus non habentes. Et quia, Domine mi Rex, prae particibus tuis tuae domus nobilibus et prae consortibus tuis Christianorum Regibus Deus Deus tuus oleo laetitiae te perunxit, quia iniquitatem odisti et justitiam dilexisti, accingere potentissime gladio tuo super femur; praecede Moysi promissus angelus te praecedet;[11] regna ejusden angeli protectio semper te custodiet et defendet, virga directionis, prudentiae scilicet ac veritatis, virga regni tui, justitiae videlicet et aequitatis, duces Moab percutiet et

[1] *Actubus*, M.
[2] *In vasa*, M.
[3] *Ab* M. omits.
[4] M. here adds *et*.
[5] P. originally *seruato*, corrected to *seruati*.
[6] *Inmunda*, M., as elsewhere.
[7] *Scenosa*, M.
[8] *Spurcitie*, M.
[9] *Peripsima*, M.
[10] *Morticina*, M.
[11] Here M. adds *et*.

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confringet. Sagittae namque [P. 16] acutae in corda inimicorum Regis populi sub te cadent. Obedienter igitur spiritum sanctum[1] audias, monitorem indubitanter suscipias, permissorem constanter retineas directorem, et utiliter procul dubio habebis defensorem.

Explicit prima pars. Incipit secunda pars, quae est de quinque praeambulis ante inceptionem passagii ordinandis.[2]

[M. 5 r] Primum praeambulum et prima ordinatio ante passagium incipienda sunt ab inuocatione et imploratione auxilii et consilii Dei nostri, cujus proprie causa agitur[3] in hac parte, quod scilicet orationes assidue per omnes mundi ecclesias fieri ordinentur, ut fidelium votis assiduis et orationum patrociniis ille cui parum est in multis vincere vel in paucis, Regis et suorum sequacium deuota corda perlustret, bonam voluntatem atque propositum sui spiritus infusione confirmet, sensus eorum ad videndum quid in dubiis eligendum, quid in agibilibus[4] exequendum aperiat, ipsos in viam salutis dirigat, protectionem tribuat in aduersis, prosperitatem in bellis, coronam et gloriam in triumphis. Postremo cum oris cantico et mentis jubilo in Hierusalem, quae est ciuitas Dei summi, tribus tribus[5] domini ad [6]confitendum nomini Domini ascendamus,[6] et in loco ubi steterunt pedes ejus deuotius adoremus, ubi possimus impendere cum gratiarum actionibus vocem laudis. Oratio namque[7] justi assidua multum valet. Haec Pharaonem et currus et exercitum ejus, dum filios Israel a terrae promissae itinere cuperet reuocare, demersit in aquis vehementibus quasi plumbum. Haec Hiericuntinos[8] hereditatis debitae filiis Israel tumidos detentores ac ciuitatem eorum validam atque fortem destruxit et diruit in momento. Ezechia Rege orante angelus Domini Assyriorum castra percussit et de ipsis plusquam centum octuaginta[9] milia interfecit. Nicanor hostis validus Judaeorum, dum sacerdotes orationem[10] ad Dominum praemisissent, cum toto suo exercitu[11] est consumptus, ita ut non remaneret nec unus[12] qui factum posteris nuntiaret. Judas Machabaeus, ante bellum oratione praemissa, semper victoriam obtinebat. In bello autem quo orationem facere praetermisit legitur corruisse. Theodosius denique minor Graecos et orientis barbaras nationes non tantum violentia siue ferro, sed religione magis et deuotione atque orationibus superauit.

[1] M. repeats *sanctum*.
[2] *Ordinandi*, M.
[3] *Geritur*, M.
[4] *Agilibus*, M.
[5] Sic P. and M.
[6] *Confitendum eius nomini ascendamus*, M.
[7] *Autem*, M.
[8] *Iecicontinos*, apparently, M. (corrected from *Iecicontícos*).
[9] *Octoginta*, M., which of course has *Assiri* . . . , as elsewhere.
[10] *Orationes*, M.
[11] M. here adds *penitus*.
[12] *Vnnc*, apparently, M.

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Cujus oratio tam euidentis efficaciae extitit et virtutis quod pro eo etiam[1] aethera [P. 17] pugnauerunt, dum ipsius orationis fretus patrocinio plus quam armis hostes subegit, Eugenium interemit, et a tyrannide rempublicam liberauit.

De secundo praeambulo ante passagium ordinando.

Secundum praeambulum,[2] ut qui negotium tam sancti propositi prosequuntur,[3] *quantum ad duo attentius ordinentur. Primo, ut vitam suam* corrigant et emendent et deinceps in melius ordinent et disponant.[4] Non enim vult Dominus sancta dare canibus nec margaritam illam pretiosam, quam mortis suae pretio comparauit, terram scilicet sanctam, quam super omnes patrias praeelegit, non, inquam, vult proicere ante porcos. Hoc habemus expresse de populo quem Dominus in manu potenti eduxerat de Ægypto. Nam de sexcentis tribus milibus pugnatorum, praeter paruulos[5] et mulieres, quorum erat maxima multitudo, duo tantum terram promissam suis patribus intrauerunt,[6] ita quod nec ipse Moyses, cui non erat in terra similis, meruit introire, quia ad aquas conductionis[7] Deo gloriam non dederat et honorem. Josue de mandato Domini populum circumcidi et sanctificari praecepit, antequam promissae hereditatis terminos introirent, ut nonnisi sancti sanctuaria possiderent. Postquam etiam terram illam cum signis et miraculis introissent, et jam per sortes et funiculos distributam diutius possedissent, quotiens populus legem Domini deserebat, totiens ipsum affligi sub seruitute hostium dimittebat, ut patet Judicum temporibus atque Regum. Postremo, cum continuatis sceleribus Dominum ad ultimam iracundiam prouocassent, indignos se tam sanctae hereditatis peculio reddiderunt. Et ideo [8]Babyloniis, Ægyptiis, et Assyriis,[8] atque Romanis, tradidit affligendos et per universum mundum in seruitatem ultimam dispergendos. Salmanasar denique Rex Assyriorum,[8] qui de terra illa sancta in Assyrios[8] transtulerat populum potiorem,[9] in regno Samariae pro filiis Israel alienigenas collocauit. Qui cum Dominum non timerent, suscitauit Dominus et[10] eis [M. 5 v] leones, qui deuorabant illum populum et vehementius affligebant, eo quod' terra legitima non nouisset.[11] Ne autem longius protelemur,[12] e uicino proprium morbum tangamus, nostram erubescentiam [13]proferamus, et quantum possumus remedium apponamus. Si enim bene attendimus,

[1] *Et*, M.
[2] M. here adds *est*.
[3] *Prosequentur*, M.
[4] *Disponent*, M.
[5] *Parvos*, M.
[6] Here M. adds *sed omnes in deserto ut rebelles et increduli perierunt.*
[7] *Contradictionis*, M.
[8] M. has i throughout here, as elsewhere—(*Babiloniis*, etc.).
[9] *Peccatorem*, M.
[10] M. here adds *imisit*.
[11] *Nouissent*, M.
[12] *Procellemur*, M.
[13] *Erubicenciam*, M.

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a tempore quo pestis Sarracenica orta fuit fluxerunt anni circiter [P. 18] septingenti. Accepit[1] autem principium anno Domini sex centesimo tricesimo nono[2] quo tempore Hierusalem capta fuit per Humarum discipulum et socium perfidi Machometi,[3] orientem Imperatore Heraclio[4] gubernante; et tenuerunt eam annis CCCCLX,[5] usque videlicet ad tempora Petri Heremitae, *quibus* [6]*capta fuit annis*,[6] *scilicet anno Domini* MXCIX. Nostri vero tenuerunt eam annis tantum LXXXVIII. Quibus elapsis, a Sarracenis iterum fuit capta anno Domini MCLXXXVII a quibus usque hodie detinetur. Et sic deducendo de[7] primo ad ultimum, de [8]doc. annis quibus pestis Sarracenica insurrexit fere DC. annis Hierusalem[8] tenuit occupatam, nos vero LXXXVIII annis[9] tantum, quibus tamen non[10] sine bellis plurimis atque damnis. Quare haec autem nisi quia Deus in terra[11] non sustinet peccatores. Peccatum enim undique inundabat, et sanguis sanguinem contingebat. A planta namque pedis usque ad[12] verticem non erat ibi sanitas, ut[13] ex historiis ultramarinis legitur et habetur. In Praelatis[14] deformiter apparebat negligentia, auaritia, pompa, et vanitas, in clero lasciuia morum et vitae ac multiplex inhonestas. In populo lapsus[15] carnis et in multis criminibus superabundans iniquitas. Defecerat in religiosis reuerentia ad Praelatos, obedientia ad majores, et obseruantiarum regularitas. Non erat in mulieribus quibuscunque verecundia, pudor, aut castitas. Perierat in principibus et judicibus[16] judicii veritas et justitiae censura et aequitas in tantum quod terra illa sancta in ventre suae quietis talia tenere non potuit abortiua, sed more maris corpora foetida et corrupta in vitiis, mortua in peccatis, extra se cum execratione in mundum euomuit uniuersum. Quis potest ergo credere vel[17] sperare quod Deus concederet peccatoribus terram illam, de qua, ut ex praedictis patet, semper deturbauit, abegit, et repulit peccatores? Sed si quis diceret: [18]Numquid non ipsi sunt peccatores, imo[18] plusquam peccatores, infideles, abominabiles, et crudeles, qui istam sanctitudinem detinent occupatam, et ipsam in

[1] *Accepi*, M.
[2] Figures in M. here as elsewhere.
[3] *Macometi*, M.
[4] *Oraclio*, M.
[5] *CCCLX*, M.
[6] *Tactâ fuit a nostris*, M.
[7] *A*, M.
[8] *Dec. annis Ierusalem*, M., omitting all the rest of this clause; *dec.* and *doc.* are both corruptions of *dcc*, *i. e.*, 700.
[9] M. omits *annis*.
[10] M. adds *tenuimus* here.
[11] M. adds *illa* here.
[12] M. omits *ad*.
[13] *Et* for *ut*, M.
[14] *Platis*, M. (without sign of contraction).
[15] *Luxus*, M.
[16] *Iudicibus et principibus*, M.
[17] *Aut*, M.
[18] *Numquid isti non sunt peccatores, immo*, etc., M.

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opprobrium nominis Christiani tanto tempore tenuerunt? Certe scio ipsos esse iniquos,[1] immundos, ac plusquam dici posset sceleratos[2] et injustos. Sed considerandum, plangendum, atque dolendum quod tanta fuerunt scelera et peccata utriusque status, gradus, et sexus populi[3] ut a nobis haereditatem illam abstulerit et illis tradiderit tanto[4] conculcandam et tantis ab hominibus defendendam. Nec tamen debet[5] aliquis sani capitis aestimare quod [P. 19] peccata nostra superent et excedant peccata illius abominabilis populi et peruersi. Nam ab initio seculi non extitit populus tam nephandus. Sed causa est[6] quia scimus quod magis laedit leuis injuria domestici et amici quam offensa maxima inimici. Sic enim ait psalmista; si inimicus meus maledixisset mihi,[7] sustinuissem utique; et si is qui oderat me super me magna locutus fuisset, abscondissem me forsitan ab eo. Tu vero, homo unanimis, dux meus et notus meus, qui simul mecum dulces capiebas cibos, in domo Dei ambulauimus cum consensu. Quid ergo? Sanctificamini qui fertis vasa Domini, id est, qui recipitis et fertis in humero vas vasorum, videlicet signum crucis, in quo fuit liquor unctionis nostræ salutis, antidotum nostrae reconciliationis positum et effusum; ne scilicet in eo signo quod assumitis et portatis in memoriam dominicae passionis et ad vindicandum opprobrium nominis Christiani et fidei ipsum Christum contingat denuo peccatis et criminibus, non jam a Judaeis aemulis et paganis, sed ab amicis et domesticis crudelius crucifigi.

Secundum ad quod transeuntes ad istud passagium se debeant ordinare est disciplina assidua militaris. Vegetius autem de re militari [M. 6 r] ponit tria quae ad ipsam disciplinam militarem judicat expedire ut sic finis intentus obtineatur in bellis, victoria scilicet et triumphus. Dicit ergo sic: Nulla enim alia re videmus populum Romanum orbem subegisse terrarum nisi armorum exercitio[8] et usu militiae, mihi imponere silentium judicaui. Victoriae enim quas obtinuistis, Domine mi Rex, et praelia quae gessistis vos doctorem expertum faciunt et magistrum. De[9] disciplina autem castrorum aliquid cupio ad memoriam reducere, non docere.[10] Castra secundum Isidorum a castrando sunt dicta. Omnis enim immoderata quies, omnis otiositas, omnis excessus cibariorum, omnis occimacio[11] et delicatio nutrimenti, omnis actus venereus, et omnia breuiter quae milites possent somnolentos, delicatos, molles, aut lentos

[1] *Iniquos esse*, M.
[2] M. here adds *homines*.
[3] M. here adds *Christiani*.
[4] M. here adds *tempore*.
[5] M. here adds *dici*.
[6] M. omits *est*.
[7] *Michi*, M., as often elsewhere (so M. of course reads *nichil* for *nihil*).
[8] Here M. adds *disciplina castrorum usuque militie. De armorum exercitio*, continuing *et usu militari michi imponere* (as in text).
[9] *Et*, M. (for *de*).
[10] *Dicere*, M., which of course reads *Ysidorum*.
[11] *Accuracio*, M.

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reddere siue pigros, praecidebantur[1] et amputabantur ab eis tanquam impedientia, superflua, extranea, et nociua. Et ideo idem Vegetius judicat rusticam plebem esse ad militiam magis aptam, eo quod magis e praedictis delectationibus est remota et in asperis contrariis assueta, [P. 20] sic dicens: Nunquam credo potuisse[2] dubitari aptiorem armis rusticam plebem, quae sub dominio[3] et labore nutritur, solis patiens, umbrae negligens, balneorum nescia, delitiarum ignara, simplicis animi, paruo contenta cibo, durata ad laborum tolerantiam membris: cui gestare ferrum, fossam ducere, onus ferre consuetudo de jure est. Haec Vegetius. Tales erant cum quibus Romani fortia bella gerebant, rebelles fraenabant, hostes domabant, tyrannos, urbes, et regna calcabant, celebres ac[4] crebras victorias obtinebant, mundum suae reipublicae subjugabant. Legimus quod David humiliauit Philistiaeos et tulit fraenum tributi de manu Philistini, percussit Moab, et mensus est[5] funiculo coaequans terrae, multas victorias de hostibus reportauit, praelia multa gessit. Prius tamen exercitatus fuerat in desertis, et fatigationes varias, labores, ad[6] inedias et aerumnas, [7]ad solis caumata et ardores, ad frigora[7] et ad gelu super nudam terram procumbens, latitans in speluncis [8]suis, quando Saulis[8] amentiam fugiebat. Quando[9] vero ab exercitio vacauit ac bellis et delectationibus,[10] otio et somnolentiae se tradidit[11] ac quieti, ad aspectum mulieris, qui prius omnium victor fuerat, victus fuit. Hinc adulterium commisit, et proditorium homicidium perpetrauit. Ob quam causam de ejus domo incestus non defuit, sanguis non cessauit, et gladius non recessit. Machabaei ciuitatem sanctam Hierusalem de manu hostium saluauerunt, legem de potestate gentium extorserunt, pro libertate patriae pugnauerunt, inimicos constanter ac viriliter saepius prostrauerunt, et multis periculis se dederunt. Sed ante in multis exercitiis laboriosis experti fuerant et probati. Nam foeni cibo vescentes demorati fuerant in montibus et[12] desertis, et ibi vitam egerant inter feras. quasi non essent bella Domini egressuri nisi prius castitati, temperantiae, ac parsimoniae studuissent. Et ideo ab exercitu Domini summopere[13] est cauendum quod ad libidinem fraena non laxet, a super fluitate cibi et potus se temperet, otiositatem per continuum armorum exercitium fugiat et euitet.[14] Mandato namque legis formidolosus, vel qui uxorem

[1] *Precindebantur*, M.
[2] *Dubitari potuisse*, M.
[3] *Dino*, M.
[4] *Et*, M., which of course reads *optinebant*, as elsewhere.
[5] M. adds *eos*.
[6] *Ac*, M., which of course reads *crumpnas*.
[7] *Ac damnata et ardores ac frigora*, M.
[8] *Speluncis, quando Saulus*, M.
[9] *Cum*, M.
[10] M. adds here *et*.
[11] *Tradita*, M.
[12] M. omits *et*.
[13] *Est summopere*, M., which reads *parcimonie*, just before.
[14] *Deuitet*, M.

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de nouo duxerat, vel[1] qui vineam plantauerat, aut qui domum aedificauerat, a praelio arcebatur. Romani Consules conabantur praedicta omnia a suo exercitu [P. 21] submouere, non reputantes neque sperantes euentum belli prospere aduenturum si cum expeditione reipublicae permanerent.[2] Refert enim Valerius Maximus quod Scipio Africanus[3] Consul in Hispaniam missus ut insolentissimos Numentinae urbis spiritus superiorum ducum culpa nutritos contunderet,[4] eodem momento temporis quo castra intrauit edixit ut omnia ex iis quae voluptatis causa comparata fuerant auferrentur ac submouerentur.[5] Nam constat, cum maximum inde rusticorum ac laicorum[6] numerum cum duobus milibus [M. 6 v] scortorum abisse hac[7] turpi subdens atque erubescenda sentina[8] vacuefactus exercitus noster, qui paulo ante [9]metu mortis deformi[9] se foederis ictu maculauerat, erecta et recreata virtute [10]acrem illam et animosam Numantiam[10] incendiis exustam ruinisque prostratam[11] solo aequauit. Exemplum etiam aliud inducit idem Valerius quod non judico dimittendum, quod explicat in his verbis: Marcellus cum exercitum in[12]Africa Jugurthino bello nimia Spurii[12] Albini indulgentia corruptum Consul accepisset, omnibus imperii neruis ad reuocandam pristinae disciplinam militiae conuersus est; nec singulas partes apprehendit, sed totam continuo in suum statum[13] redegit. Protinus namque lixas a[14] castris submouit, cibumque coctum venalem proponi vetuit. In agmine neminem militum ministerio seruorum jumentorumque, ut arma sua et alimenta ipsi ferrent, uti passus est. Castrorum subinde locum mutauit. Eadem, tanquam Jugurtha semper adesset, vallo fossaque aptissime cinxit. Quid ergo restituta continentia, quid repitita industria profecit? Crebras scilicet victorias et multa trophaea peperit ex eo hoste cujus tergum sub ambitioso imperatore Romano militi videre non contigerat.[15] Haec Valerius. Si ergo tanta vigebat in pagano exercitu disciplina ut culturae idolorum dediti, quae vitia imperabant, prospero[16] adipiscendae victoriae a vitiis abstinerent, quanto magis exercitus Dei viui, qui munditiam amat, virtutes imperat, intemperantiam

[1] *Seu*, M.
[2] *Reipuplice permaneret*, M.
[3] M. repeats *Affricanus*.
[4] *Nutridos contunderent*, M.
[5] *Auferrerentur et submonerentur* (though possibly *submouerentur*), M.
[6] *Institorum ac lixarum*, M.
[7] *Et*, M.
[8] *Semtina*, M.
[9] *Metum . . . difformi*, M.
[10] *Aciem . . . Iminantiam* (or perhaps *Inimiaciam*), M.
[11] *Prostrata*, M.
[12] *Affrica Iugurtino . . . Spuri*, of course, M.
[13] *Stratum*, M.
[14] *E*, M.
[15] *Contingerat*, M.
[16] *Prospe*, M., as P. corrects in margin; *ydolorum* of course in M., above.

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fraenat, debet[1] has leges amare pro quibus coronam terrenae victoriae obtinent ac caelestis.

De tertio praeambulo ante passagium ordinando.

Tertium praeambulum est valde necessarium, ut scilicet inter illos qui huic tam sancto negotio possunt praestare subsidium et juuamen pax et concordia reformetur. Inter alia autem quibus passagium indiget sunt naues et galeae [P. 22] et homines[2] qui eas ducant et regimen exerceant super eas.[3] Super autem alias gentes maris quae majori personarum praeeminent[4] probitate, animorum fortitudine et vigore, industria in factis maris, et experientia certiori, fidelitate atque constantia firmiori, sunt Cathalani et Januenses, qui de vasis maris et gente melius, facilius, et commodius administrare et exhibere possunt copiam abundanter. Inter istos tamen est nunc actualiter guerra grauis. Et quia, ista terra sic stante, passagium in his defectum non modicum pateretur, (Nam omnes aliae gentes quae mare nauigant, quantum ad probitatem et industriam nauigandi nihil sunt penitus respectiue) omnino expedit quod inter istos pax et concordia [5]reformetur et[5] componatur. Quae quidem pax faciliter obtinebitur,[6] si majestas regia voluerit interponere partes suas, cum Cathalanis Rex Aragoniae et Ianuensibus Rex Siciliae dominētur qui in[7] tanto ac tali negotio pacem facere tanto Domino non[8] negabunt.

Indiget et passagium victualium copia abundanti, non solum de uno loco, sed et[9] de diuersis; ut sunt frumentum, vinum, oleum, farina, legumina, hordeum, auena, casea, carnes salsae; quae discurrendo per singulas regiones non possunt haberi commodius, facilius, et abundantius de loco aliquo citra mare sicut de[10] Apulia atque Sicilia,[10] quae sunt, ut ita dicam, omnium talium initium[11] et origo. Et quia inter Dominum Regem Robertum et Dominum Regem Fredericum, qui nunc resident in[12] dictis regnis, implacabilis manet, expediret quod inter eos aut longa treuga aut, quod melius esset, pax perpetua firmaretur. Non enim dicti Domini possent in praedictis tam copiosa et tam libera pro passagio exhibere subsidia, nec terram suam euacuare militibus, nec portus gentibus

[1] Here M. adds *virtutes amplecti*, reading *terene* just below.

[2] *Hominibus*, M.

[3] *Qui regimen excerceant*, M., omitting *super eas*, and giving *excer . . .* for *exer . . .*, as elsewhere.

[4] *Preminent*, M., which reads *cerciori* just below.

[5] M. omits these two words.

[6] *Obtinetur*, M.

[7] M. omits *in* and the plural mark (if such it is and not merely an accidental mark, as I suspect), over *e* in *dominetur*, just before.

[8] M. omits *non*.

[9] *Etiam*, M., which writes *habundanti*, *habundantius*, *ordeum*, *comodius*, *sicud*, as usual.

[10] *Aperulia*, *Scicilia*, M., as elsewhere.

[11] M. omits *initium*.

[12] M. omits *in*.

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et vasis maritimis[1] spoliare, nec victualia cum sui et suorum penuria in tanta copia ministrare quando[2] ipsos guerrae[3] suspicio deterreret, et eorum quilibet crederet alterum tanquam hostem propinquum ad humeros suos esse. Ex ista autem pace accresceret animabus utilitas [M. 7 r] ecclesiae honor et reuerentia, vobis meritum et gloria, et passagio fructus et utilitas in immensum.[4] Naues enim et galeae ad quamcunque[5] plagam ultra mare habeant nauigare vel eundo seu redeundo, communiter habent ad portus Siciliae applicare; ubi tunc licentius et liberius qui passagium prosequuntur,[6] cum opportunitas interesset, aut necessitas immineret, possent descendere, equos reconciliare,[7] vires resu[P. 23]mere, corpora recreare, et[8] victualia renouare. Si etiam [9]esset inter[9] illos Dominos pax reformata et firmata, posset obtineri ab eis galearum et nauium sufficiens multitudo. Esset etiam possibile quod ambo vel alter eorum vos in passagio sequeretur. Hoc mihi certum est de Domino Rege Frederico, cum quo habui colloquium de talibus et notitiam pleniorem quod non est res in mundo quam tantum desideret et affectet sicut in passagio transigere residuum vitae suae, si pax ei per modum securum et congruum praestaretur. Et certe, Domine mi Rex, vobis accrescet utilitas et fauor non modicus atque honor, si talem haberetis in vestrum consortium comitiuam, Principem scilicet antiquum annis et meritis, profundum in militaribus consiliis, prouidum in agendis, in armis expertum, in bellis strenuum, nobilem, deuotum,[10] constantem, sanguine vobis junctum, justitiae amatorem, pauperum defensorem, cui breuiter in iis quae Regi conueniunt nihil deest, si pax inter ipsum et ecclesiam ac Dominum Regem Robertum vestris ope et opera[11] firmetur quae dudum fecerat felicis memoriae pater vester. Cum igitur opus hoc quod dante Domino peragetis multis indigeat et non sit unius temporis vel momenti, ad hoc debetis omnino vires vestras impendere ac conatum. Si enim juxta psalmistam oriatur in diebus tuis justitia et abundantia pacis, juxta prouerbium[12] Salomonis, itinera tua pace producentur, et ipse Deus rectos faciet cursus tuos. Igitur inter praedictas gentes et Dominos fiat pax in virtute tua, non[13] in turribus tuis, id est, in castris tui exercitus, abundantia[14] subsequetur. Et sic, Domine mi, nomen tuum praedicabitur merito princeps pacis.

[1] *Variis martiriis*, M.
[2] P. corrects in margin to *quoniam*.
[3] *Gerre*, M.
[4] *Utilitas immensum*, M.
[5] *Quamque*, M.
[6] *Prosequentur*, M., which reads, above, *comuniter*, *Scicilie*, and below, *oportunitas*.
[7] *Refocilare*, M.
[8] M. omits *et*.
[9] *Interesset inter*, M.
[10] M. adds here *fidelem*.
[11] *Opere reformaretur*, M.
[12] *Prouerbia*, M., which reads *in pace* just below.
[13] *Et*, M.
[14] *Habentia*, M.

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De quarto pracambulo ad[1] *passagium ordinando.*

Quartum praeambulum est, quod scilicet per terram viam regiam [2]eligamus seu[2] fieri moneamus. Nihilominus tamen prouidendum est in certo numero de nauibus et galeis ad portandum gentes quae mare poterunt sustinere, et ad portandum arma,[3] victualia, machinas, magna et parua tentoria, et balistas grossas et alias, cum istorum omnium necessariis furnimentis,[4] instrumenta ad suffodiendum, percutiendum, concutiendum, et diruendum fundamenta et muros castrorum ac[5] ciuitatum, quando necessitas hoc requiret. Erunt etiam necessariae ad assecurandum mare et a piratarum insultibus defendendum, siue ipsi piratae Christiani fuerint, siue Turchi, ut sic [P. 24] mercatores et peregrini de diuersis partibus in subsidium passagii venientes [6]possint tutius[6] nauigare. Sunt praeterea ad multa alia necessaria[7] quae magis sciuntur et probantur sicut emergunt casus varii et euentus. Et quia, ut inferius disseretur, per imperium Romaniae moneo transeundum et ipsum judico capiendum, commune [8]Venetorum et Ianuensium[8] est in galearum et nauium praeparatione et exhibitione primitus requirendum. Habent enim quaedam dominia in ipso imperio per quae ipsi passagio in multis et variis factis admodum utiles possunt esse.[9] Veneti siquidem habent insulas Cretensem, Nigropontensem, et fere omnes alias numero plusquam viginti in Ægeo mari vel pelagi[10] consistentes. Januenses autem[11] habent ciuitatem unam muratam et fortem nomine Pera satis in populo copiosam[12] immediate juxta Constantinopolim situatam ita prope quod ambas ciuitates diuidit solus portus. Habent insuper unam aliam ciuitatem in imperio Tartariae aquilonaris nomine Capha, ex qua possent passagio [M. 7 v] multa necessaria prouenire. Sunt iterum, quod plus est, praedicti Ianuenses et Veneti in mari et in partibus praefati imperii assueti, et sciunt contratas,[13] patrias, atque vias, passus et semitas, insulas, scopulos, atque portus. Et multi eorum sciunt linguas gentium multas, utpote in illis partibus geniti et nutriti. Quae quidem omnia sunt ad utilitates maximas atque fructus.

De quinto praeambulo ante passagium ordinando.

Quintum praeambulum non est ullatenus omittendum, quod scilicet in vere proximo futuro sint decem vel duodecim galeae bene paratae quae

[1] *Ante*, M.
[2] M. omits these two words.
[3] M. adds *et* here.
[4] *Furnimicntis*, M.
[5] *Et*, M.
[6] *Possunt tucius*, M.
[7] *Necessarie*, M.
[8] *Venecciorum ac Ianicensium*, M.
[9] *Esse possunt*, M.
[10] *Palage*, M., which of course has *Egeo*.
[11] *Etiam*, M., which reads *fortem* just below.
[12] *Copiosa*, M.
[13] *Contractas*, M.

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mare Suriae atque Romaniae[1] et alias partes maris custodiant ne[2] nostris falsis ac pessimis,[3] seu aliis quibuscumque liceat ministrare Soldano et aliis sibi subjectis et ejus valitoribus illa quibus indigent pro [4]munitione ac tuitione[4] sui et suorum et terrarum sibi subjectarum contra potentiam passagii, quam plurimum reformidant. Soldanus enim ex terra sua [5]non habet arma[5] necessaria, ferrum, vasa maris, parua vel magna ligamina [6]seu ligna ad componendum[6] vasa nauigabilia vel ad fortificandum suas munitiones et castra, seu ad faciendum machinas et alia instrumenta ad se defendendum vel[7] nostros etiam inuadendum. Et ideo cum audierit passagium [P. 25] ordinari, sagax, astutus, et malitiosus prouisionem faciet de praedictis. Nostri etiam falsi Christiani et Graeci ac Suriani et etiam Sarraceni de Africa inducti atque seducti auaritia et spe lucri eidem Soldano sicut alias de praedictis omnibus copiam exhibebunt. Quod quidem esset in magnum Saracenorum subsidium et magnum passagii detrimentum.[8] Praedictae igitur galeae quoscumque illuc euntes capiant et captiuent. Nihilominus mandetur omnibus maritimis ciuitatibus atque regnis, et specialiter illis de insula Cypri, quatinus per edictum publicum et per poenas comminatorias et executorias prohibeant gentes suas ne ad terras quorumcumque Sarracenorum et specialiter Soldano subjectas accedant aut merces quascumque deferant siue mittant. Dominus etiam noster summus Pontifex reuouet sententias et processus quos contra tales consueuit sedes apostolica promulgare. Instetur[9] praeterea quod Dominus Papa nulli concedat merces quascumque portandi in partes Alexandriae facultatem, et si concessit alicui, reuocetur. Per istas enim restrictiones, si diligentius obseruentur, Soldanus et sui defectum et dammum in rebus sibi necessariis patientur. Regium tamen consilium attendat sollicite quod tales personae istis galeis pro negotio talis custodiae praeponantur quod de ipsorum auaritia siue dolo non possit suspicio suborire.[10]

Explicit secunda pars. Incipit tertia pars designans quatuor vias, ut ex eis pro Rege melior eligatur. De prima via, quae est per Africam, penitus euitanda.

Disponente Domino, postquam passibus[11] undique reformatis in viam salutis et pacis dirigere possumus gressus nostros ad unum et eundem terminum, scilicet terram sanctam, vias quatuor describamus; ut omnibus

[1] *Romane*, M.
[2] M. omits *ne*.
[3] Here M. adds *Christianis vel Sarracenis*.
[4] *Muritione, defencione, ac tuitione*, M.
[5] Here M. is damaged, most of these three words being lost.
[6] M. again damaged here, but apparently never contained *seu ligna*; P. corrects *ligamina*, in margin, to *lignamina*.
[7] M. again slightly damaged here, *v* of *vel* wanting.
[8] *Detrimenti*, M.
[9] *Instituetur*, M., which reads *Allexandrie* below, and of course *dampnum, Affricam*, etc.
[10] *Suborriri*, M.
[11] *Pacibus*, M.

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viis consideratis diligentius et descriptis, pro vestra persona et eam sectantibus melior, tutior, et breuior eligatur. Prima igitur[1] via est per Africam, quae difficultates plurimas secum portat et taedia infinita. Quod patet ex suo principio,[2] progressu siue medio, et ex [3]iis quae juxta terminum siue finem sunt.[3] Ex [M. 8 r] suo principio patet[4] quidem a termino ad quem tendimus[5] in magna distantia inuenitur. Siue enim viam istam a strictu Jubaltariae [P. 26] siue a Tunicio incipere debeamus, a strictu Jubaltariae usque Acon quae a Hierusalem distat duabus paruis[6] dietis, [7]MMM. et D. a Tunicio vero MM. et CCC. miliaria denotantur.[7] Quantum etiam ad progressum siue medium est haec via difficilis atque grauis. Sunt enim in ipsa castra fortia, loca plura inaccessibilia, passus difficiles, ciuitates inexpugnabiles. Locus quidem durans per plures dietas omnino desertus, sterilis, arenosus, omni inuius creaturae, [8](in quo si ventus insurgeret, suffocaret homines et jumenta)[8] ubi nec cibus nec gutta aquae penitus[9] inuenitur. Quantum iterum ad ea quae sunt juxta terminum siue finem, via ista difficilis inuenitur. Habet enim ibi juxta totam Soldani potentiam et Ægypti, per cujus medium haberet totus exercitus necessario pertransire. Qui licet in se viles existant et nullius sint reputandi pretii vel momenti nisi haberent auxiliarios[10] aliunde, utrum tamen esset tutum vel posset per aliquem eligibilem judicari contra totam Soldani potentiam exponere exercitum fatigatum vel laboribus conquassatum, sicut esset quando tantam viam et tot diuerticula percurrisset regale prudens judicium et discretum atque maturum consilium videat et discernat. Breuiter mihi causa aliqua non occurrit quare sanctus Ludouicus inceperit[11] facere viam illam, nisi haec sola, quod Sicilia,[12] cum sit prope Tunicium,[13] pro aliqua parte sui itineris faciliter poterat habere victualia abundanter.

De secunda via, quae est per mare; quae per Regem est nullatenus facienda.

Secunda via est per mare. Cujus principium esse posset in Aquis mortuis, vel in Marsilia, siue in Nicia,[14] sicut magis accomodum videretur. Quando propter multitudinem hominum vel propter defectum victualium

[1] *Ergo*, M.
[2] Here M. adds *et ex*.
[3] *Iiis que sunt iuxta terminum siue finem*, M.
[4] Here M. adds *quod*.
[5] *Intendimus*, M.
[6] *Puis*, M. (without sign of contraction).
[7] *MMMD a Tunico . . . MM et CCCC denotantur miliaria*, M.
[8] M. transfers these nine words to end of sentence, reading: *creature ubi nec cibus . . . inuenitur, in quo si ventus . . . iumenta.*
[9] *Positus*, M.
[10] *Auxiliaria*, M.
[11] *Incepit*, M.
[12] *Scilicia*, M.; P. adds *de* in margin, as M. in text.
[13] *Tunicum*, M.
[14] *Vicia*, M.

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non posset totum exercitum recipere unus portus, progressus tamen[1] esset continuus usque Cyprum, et inde ad quam partem de Ægypto vel de Suria [2]exercitus applicaret[2] cum maturo consilio videretur. Hanc viam fecit sanctus Ludouicus. Hanc faciebant peregrini transfretantes in subsidium terrae sanctae, quando de ipsa [3]per nostros aliquid[3] tenebatur. Sed haec[4] difficu[P. 27]ltates plurimas secum habet. Habet enim difficultates quantum ad omnes homines, et specialiter quantum ad Gallicos et Theutonicos,[5] qui in mari non fuerunt assueti. Ad motum enim maris et agitationes varias et procellas nimium[6] et efficiuntur saepius sine sensu, ita quod frequenter possent judicari mortui plus quam viui. Praeter haec, subita mutatio aeris, foetor maris, cibaria insipida atque grossa, aquae foetidae et corruptae, pressura hominum, strictura loci, durities lecti, et cetera[7] talia multa nimis in eis infirmitates varias generant et inducunt. Equi etiam [8]haberent incommoda[8] plurima sustinere. Habent namque pendere districti, jacere non possunt, continue agitantur, carent exercitio consueto, tergi et mundari non possunt, de mutatione aeris, foetore maris, sicut homines affliguntur. Qui quidem foetor propter eos non minuitur, sed augetur. His tantis malis debilitati et infirmati[10] vix possunt in statum pristinum [11]reuocari seu[11] reparari, et frequentius etiam moriuntur. Contingit[12] iterum naues propter ventum oppositum retrocedere. Et [13]si non possunt,[13] coguntur ad portum aliquem declinare, [14]in quo[14] siue sit habitatio, siue non, propter defectum temporis habent[15] frequentius moras contrahere diuturnas. Interdum in alto maris deficiet eis ventus. Et tunc non possunt retrocedere vel procedere nec declinare ad dextram vel sinistram. Quae quidem omnia sunt in magnum viae dispendium, in magnam materiam expensarum, et in personarum et equorum non modicum detrimentum. Sunt etiam tempestates incredibiles insperatae,[16] ex quibus sequitur debilitas corporum, defectio virium, deperitio virtutum, fractio animorum. Propter quae ab incipiendo tam [17]sancto proposito[17] plurimi retardantur, [M. 8 v] vel a jam incepto forsitan reuocantur. Propter etiam praedictas tem-

[1] *Cum*, M., which of course reads *Ciprum* just below, *acomodum* just above.
[2] *Deberet exercitus ampliare*, M.
[3] *Aliquid per nostros*, M.
[4] *Hoc*, M.
[5] *Teutonicas*, M., as elsewhere.
[6] *Ninium affliguntur*, M.
[7] *Ceretera*, M.
[8] *Habent incomoda*, M.
[9] *Excercio*, M.
[10] *Infirmitati*, M.
[11] M. omits *reuocari seu*.
[12] *Contigit*, M.
[13] *Si tamen possint*, M.
[14] *Et*, M.
[15] Here M. adds *ibi*.
[16] *Inseparate*, M., which of course reads *depericio* just below.
[17] *Sancte vie proposito*, M.

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pestates naues in portus varios seu potius in[1] partes diuersas et contrarias disperguntur. Et sic temporis dispendia subsequuntur,[2] dum in aliquo certo[3] loco habent se mutuo expectare ut exercitus uniatur. Aliquando etiam naufragia patiuntur et[4] detrimenta plurima et jacturas. Est insuper una alia incommoditas ex hac via. Nam exercitus subito transiens de uno extremo ad aliud extremum, id est, de terra frigida ad terram calidam, in suis complexionibus transmutatur.[5] Ex quo infirmitates saepius generantur, et mortes plurium [6]subsequuntur. Sequitur etiam[6] dispendium temporis, quod non est [P. 28] pro modico aestimandum. Exercitus enim habet in Cypro toto tempore hyemis expectare, ut ibi[7] homines et equi post maris incommoda recreentur, et exercitus expectetur, et terra hostium exploretur, ac tempus quo solent Reges ad bella procedere attendatur. Ex quo[8] quidem dispendio temporis sequitur multiplicatio expensarum tam in marino exercitu quam terrestri. Sequuntur[9] et discordiae in exercitu atque brigae propter otium cui vacant. Sequitur iterum stipendiariorum[10] depauperatio et stipendiorum consumptio, dum indisciplinati homines in otio sua disperdunt in comessationibus et ebrietatibus, in ludis[11] et tabernis, et aliis inhonestis. Sequitur interdum epidimia, malum irreparabile, quae prouenit ex aere calido vel intemperato aeri eorum natiuo contrario puro et frigido, et etiam ex vinis acutis et ardentibus; in quibus si aqua ponatur, ut decet, saporem amittunt; si pura bibantur, intestina et cerebrum destruunt et comburunt. Ista omnia incommoda sensit et habuit in suo passagio sanctus[12] Ludouicus, et specialiter quod CCL. leguntur obiisse de Comitibus, Baronibus, atque Militibus melioribus quos[13] haberet illa hyeme qua in Cypro ob causas praedictas habuit commorari. Hanc ergo viam quam incommoda tot sequuntur,[14] eligere non debeo nec audeo commendare. Nam si tempore beati Ludouici Christiani[15] fuisse eligibilem non decerno quando nostra Christianitas de terra illa ad quam nos[16] tendimus Acon et aliqua loco alia obtinebat, ubi absque mora in Cypro cum sua comitiua libere poterat applicare, multo minus nunc,[17] quando non obtinemus ibi[18] minimum passum pedis, ut inferius exponetur.

[1] M. omits *in*.
[2] *Subsequentur*, M.
[3] *Stricto*, M.
[4] *Vel*, M.
[5] *Transmutantur*, M.
[6] *Subsequitur. Sequitur iterum*, M., which of course reads *excercitus* and *incomoda* below.
[7] *Ubi*, M.
[8] *Quo* M. omits.
[9] *Sequentur*, M.
[10] *Stipendiarum*, M.
[11] *Lusibus*, M.
[12] Here M. adds *etiam*.
[13] *Quo*, M.
[14] *Sequentur*, M.
[15] Here P. adds in margin *hanc viam*.
[16] *Nunc*, M., which of course reads *optinebat* below, *incomoda* above.
[17] M. omits *nunc*.
[18] M. omits *ibi*.

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De tertia via, quae est per Italiam, via tuta et bona, cujus progressio[1] *tangitur esse triplex.*

Tertia via est per Italiam, cujus progressus poterit esse triplex. Unus per [2]Aquileiam, et inde per Istriam,[2] dehinc per Dalmatiam, quae quidem sunt prouinciae fidelis populi Christiani, via facilis atque plana, domestica, fertilis et abundans, frumento, vino, et oleo, carnibus atque piscibus, foecunda plurimum et jocunda, habens castra, villas, ciuitates juxta ad inuicem et propinquas; quorum dominium partim est communis Venetiarum, partim communitatem,[3] partim quorundam ibi principantium Dominorum. Ulterius [P. 29] procedatur[4] per regnum Rassiae, et [5]peruenietur ad Thessalonicam,[5] quae est major ciuitas Macedoniae sub Constantinopolitano imperio et dominio ac districtu. De hac ciuitate usque Constantinopolim sunt tredecim paruae dietae de planitie fertili et jocunda et bonorum omnium abundanti. Unum solum videretur alicui difficile in hac via, quod videlicet ab exitu praefatae regionis Dalmatiae usque Constantinopolim terrae, ciuitates, atque dominia sunt gentium quae apostolicae sedis magisterio non intendunt. De istarum vero gentium fortitudine vel audacia resistendi nullam, nisi sicut[6] de mulieribus facio mentionem. Sed si vellent nostra sancta itinera impedire, faceremus nobis faciliter igne gladio viam,[7] sicut juste et licite facere possemus et etiam deberemus, ut in[8] suo loco inferius exponetur. Hanc viam fecerunt multi qui Romano imperio praesidebant, ut in[9] tripartita historia clarius inuenitur,[10] quando de Galliis siue de Germania aut de Ita[M. 9 r]lia exercitum deducebant ad domandum vel dominandum seu[11] subueniendum imperio orientis; et hoc quia non oportebat eos in mari ponere passum unum nec tentoria figere nec de victualibus fere usque[12] crastinum prouidere; sed viam suam faciebant ordinatis dietis de loco habitato ad locum habitatum et de hospitio ad hospitium transeundo. Alius progressus esse poterit per Brandisium[13] ciuitatem Apuliae, et inde transire brachium unum maris quod durat circa CL. miliaria in Duracium, quae est ciuitas Domini Principis Tarentini, et inde per Albaniam, quae sunt gentes obedientes Romanae ecclesiae et deuotae, inde per Blaquianiam,[14] et ulterius in Thessalonicam[14] procedendo. Alius progressus esse poterit per Hydruntum,[14] quae est etiam ciuitas Apuliae, et inde

[1] *Progressus*, M.
[2] *Aquileyam . . . Ystriam*, M.
[3] *Communitatum*, M.
[4] *Procedetur*, M.
[5] *Peruenitur in Thassalonicam*, M.
[6] *Sint*, M.
[7] Here M. adds *latam*.
[8] M. omits *in*.
[9] M. omits *in*.
[10] *Inuenietur*, M., which below has only *Yta* for *Italia*, the *-lia* being added below by another hand (?).
[11] *Aut*, M.
[12] Here M. adds *in*.
[13] *Brundusium*, M., which below puts *transire* after *maris*.
[14] *Blaquiam . . . Thessolonicam . . . Ydrontum*, M.

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per insulam Curfo,[1] quae est etiam Domini Principis Tarentini, peruenire in [2]despotatum Arcae, quae[2] distat ab Hydrunto vix CXX. miliaribus, et inde per Blaquiam in Thessalonicam applicare. In his autem viis siue progressibus tanta est terrae fertilitas quod cum illa quae adhiberi poterit diligentia et cautela nullus defectus penitus esse potest. Hos duos progressus ultimos fecerunt Hugo magnus frater Philippi Regis Francorum et Robertus Comes Flandrensis et alius[3] Robertus Comes Normannorum et Tancredus[4] Princeps Tarentinus in passagio quod mouit Petrus Heremita, sicut [P. 30] in historia de ipso passagio continetur.

De quarta via, quae est per Alamaniam[5] et Ungariam, via facilis et salubris.

Quarta via est per Alamaniam et Ungariam; ubi cum exercitus fuerit adunatus, exeundo fines Ungariae intrabit plana Bulgariae disposite et distincte, et inde prospere ac feliciter dante Deo cum sanitate[6] personarum et equorum ac rerum Constantinopolim applicabit. Hanc viam fecerunt multi Principes, Duces, Comites, et Barones qui de lingua occitana,[7] de [8]Galliis, de Francia, et de Aluernia[8] Petrum heremitam fuerunt in praefato[9] passagio subsecuti. Hanc viam [10]dudum fecerat memorandus[10] et imitandus Karolus Magnus quando terram sanctam de manu *infidelium liberauit, sicut ex historiis inde factis colligitur et habetur.*

Explicit tertia pars. Incipit quarta pars. Et est quae istarum praedictarum sit pro Rege ac personam suam sectantibus, et quae pro aliis diuersarum partium exercitibus eligenda.

Visa[11] descriptione praedictarum viarum, nunc restat ostendere quae istarum viarum sit pro Rege, et quae pro aliis diuersarum partium exercitibus eligenda. Voluntatis autem et intentionis fuit pro quolibet exercitu talem viam eligere ac monstrare quae breuior, facilior, et utilior, esse possit, et quae sit a mariuis incommodis supra positis elongata, in qua de ipso mari tam[12] parum habeant pertransire quod vix ille transitus ad tria miliaria se extendit, et sic usque ciuitatem sanctam Hierusalem non habebunt mare aliud nauigare nisi istud de quo loquor mare strictissimum, ut ostendam.

[1] *Uirfo*, M., corrected from *Curfo*.

[2] *Depontatum Arce, qui*, M., which reads *Ydronto* (or *Ydronco*) . . . *CCXX.*, and *Thessolonicam*, just below. P. in margin corrects *Arcae* to *Acrae*.

[3] Here M. adds *Comes*, giving of course, just above, the spelling *flandrensis*.

[4] *Tandredus*, M.

[5] *Alemananiam*, M., as elsewhere, which of course has *excercitus* below.

[6] *Saluitate*, M.

[7] *Octaua*, M.

[8] *Galiis . . . Francis . . . Alemania*, M.

[9] M. omits *praefato*.

[10] *Dum memorandus dudum*, M., omitting *fecerat*; *dum* perhaps is intended to be erased.

[11] *Viso de descriptione*, M.

[12] *Ita*, M., which of course has *incomodis* above; *Ierusalem*, *facilitas* below.

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Via ergo erit pro Rege, praeuia gratia Jesu Christi, per Alamaniam et Ungariam, quam supra descripsimus quarto loco. Quod autem ista via sit absque omni dubio eligenda ex breuitate, facilitate, et[1] commoditate ipsius breuiter ostendetur. Ex breuitate quidem, quia illud ad longitudinem viae non arbitror aestimandum quod Dominus Rex facere potest per terras suorum fidelium amicorum[2] fidei Christianae, qui etiam passagium istud summe desiderant et exoptant, qui ipsum, nec dubium, vel multi ex ipsis in rebus propriis et personis deuotius subsequentur. Ibi enim quoad longitudinem itineris onerosi initium [P. 31] passagii judico computandum ubi et quando a terris fidelium est egressus. Facilitas etiam patet, quia de loco habitato ad locum habitatum et[1] de ciuitate in *ciuitatem de die*[3] *poterit hospitari in bonis*[4] *et quietis. Commoditas est* insuper manifesta. Nam in hac inueniuntus[5] victualia et alia hominibus [M. 9 v] et equis necessaria abundanter, quae Alamania[6] et Ungaria largius subministrant. Per hanc ergo viam exercitus, sicut si essent in propria Francia,[7] usque ad exitum de Ungaria cum consolatione nimia deducetur. Ab exitu autem de Ungaria in Constantinopolim dirigit duplex via. Una est per Bulgariam, quam supra tetigi; alia per Sclauoniam, id est per partem regni Rassiae cujus feci superius mentionem. Has vias fecerunt, per Bulgariam [8]quidem Godofredus Lothoringiae[8] cum fratribus suis Baldouino et Eustachio et Baldouinus[9] Comes Montensis, per Sclauoniam vero[10]Ademarus Podiensis Episcopus apostolicae sedis Legatus et Raimundus Comes sancti Ægidii et Tolosae,[10] ut in libris aliquibus inuenitur. In aliquibus vero libris leguntur per Aquileiam et Dalmatiam sua itinera peregisse. Et quia exercitus magnus erit, una pars per Bulgariam, pars altera per Sclauoniam poterit facere iter suum, ut victualia et hospitia commodius habeantur. Dominus autem Rex per Bulgariam, ubi est via planior et breuior, faciet iter suum. Sed antequam extra terminos Ungariae procedatur, ordinabitur quod ab illis qui in Bulgaria, Graecia, et Rassia dominantur securitas habeatur; quam ipsi libentius exhibebunt,[11] ut in suis non suis sed violentatis et usurpatis ac tyrannizatis dominiis dimittantur. Ordinabitur etiam ut dicti Domini faciant per gentes suas exercitui victualia pro competenti

[1] M. omits *et*.

[2] M. adds here *et deuotorum*.

[3] M. adds here *in diem*.

[4] M. adds here *hospiciis*, and, like P., keeps two m's in *commoditas*, though a little later it has *comodius*.

[5] Written like *inuemínctur* in M., which below repeats *hominibus*.

[6] *Almania*, M.

[7] *Ffrancia excercitus*, M.

[8] *Quidam Godefridus dux Lotoringe*, M.

[9] *Bladuinus*, M.

[10] *Ademanus Pondiensis . . . Raimundus . . . Tholose*, M., which of course has *Aquileyam* below.

[11] *Exibebunt*, M.

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pretio ministrari, si tamen in[1] eis fuerit de fidelitate aliqua confidendum. Quod non teneo nec judico esse tutum propter rationes quae loco suo inferius apponentur. Et si judicetur quod ad eos noster introitus sit hostilis, tunc victualia in blado, farina, et carnibus, et vino[2] sine pretio et in copia habebunt. Terrae enim illae multum sunt in talibus abundantes, et foueae subterraneae in quibus sunt eorum promptuaria cum inuestigatione debita tunc patebunt. Ipsi sunt etiam[3] tales ab ubere enutriti quod non cogitant de defensione et resistentia, sed de fuga. Quia vero multi exercitus de diuersis partibus mouebuntur, et[4] tantam multitudinem non potest recipere via una, ideo [P. 32] de aliis supra tactis viis restat quam quis de ipsis viis accipere debeat ostendendum.

Viam illam[5] per Africam non eligo nec ullo modo judico faciendam, nisi totus exercitus ad acquirendum ipsam Africam verteretur. Tantum enim est fortis illa patria, tot habet ciuitates inexpugnabiles atque castra quod ad acquirendum eam unum praecogitatum et deliberatum[6] passagium necessarium videretur. Hoc patet in bellis Punicis, hoc in[7] Jugurthino, hoc in Numentino bellis, quae Romanas copias minuerunt et eorum potentiam multo tempore lassauerunt. Et licet Romani de ipsis victoriam reportauerint et triumphum, non tamen sine consumptione plurium et magno reipublicae detrimento. Non tamen[8] dico quod esset de victoria diffidendum[9] quando dirigeretur[10] passagium specialiter contra eos. Nobiscum enim est Deus,[11] et ipsi a viribus pristinis et virtutibus defecerunt. Vias ergo[12] alias ad prosequendum nostrum propositum, id est, ad acquirendum terram sanctam, ut cupimus, eligamus.

Viam maris tantum faciant homines nauium et galearum officiis deputati cum[13] rectoribus et capitaneis[13] earundem et eis quibus secretum regium[14] communicatum fuerit quid de[15] ipsis nauibus[16] et galeis in termino et in via fieri oportebit. Ire etiam poterunt qui in mari fuerint assueti, qui ad maris incommoda non mutantur, et ad tempestates varias non mouentur [M. 10 r].

[1] *Sin*, M., which of course has *tirannizatis* above.
[2] M. omits *vino* and the *et* after *pretio*.
[3] *Ipsi etiam sunt*, M.
[4] Here M. adds *omnem*.
[5] Here M. adds *primam*, reading of course *Africam*.
[6] *Deliberatum et precogitatum*, M.
[7] M. omits *in*.
[8] Here M. adds *idem*.
[9] *Defidendum*, M.
[10] *Digeretur* M.
[11] *Deus est*, M.
[12] *Ergo vias*, M.
[13] *Capitaneis et rectoribus*, M.
[14] *Regni*, M.
[15] M. omits *de*.
[16] M. originally *manibus*, corrected to *nauibus*.

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Per viam autem [1]Italiae, cujus progressus tetigimus, per progressum quidem Apuliae ibunt Canciani, qui Aquileiae sunt affines, et Lumbardi,[1] et illi de Marchiis, et alii undecunque[2] qui magis isti progressui sunt propinqui.

Illi de lingua occitana,[3] Prouinciales, Tusci, Romani, et Apuli per progressum [4]Brandisii et Hydrunti[4] facient iter suum secundum quod [5]personis, equis,[5] et propinquitati[6] terrae suae magis expediens judicabunt. Necessarium tamen erit quod isti qui facient hos ultimos progressus[7] prompta vasa maris habeant[8] et parata quae ipsos per illa maris brachia superius designata in aliam partem transeant[9] et transportent. Omnes autem qui per istas vias dirigent gressus suos[10] in Thessalonicam applicabunt et cum illis se inuenient qui per Aquileiam processerunt. Causam "hujus termini viue infarie" explanabo.

[P. 33] *Explicit quarta pars. Incipit quinta pars: quae quia monet per regnum Rassiae et per Graecorum imperium*[12] *transeundum, continet in se tria.*

Ut igitur antequam de terris et terminis fidelium exeamus consulte videamus quam exercitus Domini caute debeat ambulare, quantum ad hoc, ista pars versabitur circa tria. Primo, utrum[13] cum Imperatore[14] Graecorum vel Rege Rassiae sit foedus aliquod [15]iniendum seu fiendum.[15] Secundo, utrum sit in eis aliqualiter confidendum. Tertio, utrum [16]causa inueniri poterit[16] justa, licita, et honesta ad eorum dominium inuadendum.

Quantum ad primum, scilicet quod non sit cum eis pactum aliquod faciendum, assigno quatuor rationes. Prima ratio[17] sumitur ex parte fidei catholicae, quam ipsi cum sua ecclesia non tenent nec credunt, sed ipsam sic abiciunt,[18] impugnant, et odiunt animis induratis quod etiam audire refugiunt[19] ipsam, sicut perversi haeretici et maligni. Cum enim

[1] *Ytalie . . . Apuleye . . . Carenciani* (for *Tarenciani?*) *. . . Aquilei . . . Lombardi*, M. *Canciani* P. corrects in margin to *Campani*.

[2] *Undecumque.*

[3] *Octana*, M.

[4] *Brundusei . . . Ydronti*, M.

[5] *Propersonis eseguis*, M.

[6] *Propinquitate*, M.

[7] *Ultimos hos progressus*, M.

[8] *Habebant*, M.

[9] *Traiciant*, M.

[10] *Suos gressus*, M., which reads *Thessolonicam, Aquileyam*, below.

[11] *Termini huius vie inferius*, M.; P. corrects in margin *viue infarie* to *viae inferius.*

[12] *Imperium Grecorum*, M.

[13] M. omits *utrum.*

[14] *Imperatorem Grecorum*, M.

[15] *Feriendum*, M.

[16] *Tam inueri possit*, M.

[17] M. omits *prima ratio.*

[18] Here M. adds *et.*

[19] M. omits the *re* of *refugiunt.*

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fratres Praedicatorum ordinum et Minorum ad eorum reductionem ad[1] fidem a sede apostolica destinati eis vellent aliquando fidem catholicam declarare, abjecti, verberati, et contumeliis affecti fuerunt eorum jussionibus et mandatis. Hoc[2] dicam tantum quod ipsi de fide audire quae vera sunt renuant et contemnant, verum etiam quoscunque de nostris precibus, commissis,[3] fauoribus, honoribus, atque minis ad suam perfidiam quantum possunt attrahunt et inducunt. Quod patet in eorum uxoribus quas nostri[4] Latini miseri eis tradunt, cum quibus matrimonium renuunt consummare donec catholicam fidem renegauerint et eorum perfidiam sint professae; sicut [5]exempli causa[5] induco de sorore Comitis Sabaudiae uxore nunc Imperatoris Graecorum, quae [6]Graeci perfidia[6] est effecta. Statim enim ut in Constantinopolim fuit ducta, eidem confessores fratres Minores,[7] quos secum duxerat, abstulerunt, consiliarios probos viros, et nutrices ac domicellas catholicas de sua curia expulerunt, ita quod cum ea de iis quos secum duxerat nullum penitus dimiserunt, nisi voluissent fidem catholicam abnegare et eorum in scriptis perfidiam publice profiteri. Quod et praedicta Domina fecit in magnum[8] dedecus Romanae Ecclesiae et opprobrium[9] fidei Christianae. Sed, ut dicunt illi qui eam volunt in hoc sacrilegio excusare, hoc fecit ipsa non voluntarie, sed coacte. Graeci et eorum sequaces ab exordio nascentis ecclesiae errores et scismata inuenerunt et pertinaciter nutriuerunt. Ab [P. 34] eorum namque malo fonte[10] primitiuis Apostolorum temporibus occasio diuisionis et scismatis emanauit. Nam factum est, inquit Lucas, murmur Graecorum aduersus Hebraeos. Ipsi Paulum Samosatenum,[11] Arrium, Sabellium, Macedonium,[12] Nestorium, Dioscorum,[13] et fere omnes haeresum inventores de thesauro pessimo cordis sui Graeca venena,[14] utique mortifera, diffuderunt. [M. 10 v] Quibus autem erroribus et quam diuersis perfidiae maculis Ecclesia illa Graecorum malignorum[15] jacet defoedata testantur haeresiarcharum ab ipsis corrupta productio, testatur antiqua ipsorum a veritate fidei sectio, et ab ecclesiae obedientia et unitate diuisio, testantur et modernae inter se inuicem sectiones, ubi fere quot sunt hospitia, tot denique sunt errores, testantur plures nationes insuper orientis, quas post caudam suae vecordiae in perditionis et coecitatis barathrum[16] secum trahit. Romana

[1] *Ac*, M.
[2] *Nunc*, M.
[3] *Promissis*, M., as P. corrects in margin.
[4] *Meri*, M.
[5] *Exemplum*, M.
[6] *Greci perfida*, M.; P. corrects in margin to *Graeca perfidiae*.
[7] *Iminores* originally, M., corrected to *minores*.
[8] *Maximum*, P.
[9] *Magnum* (without substantive), M.
[10] *Forte*, M.
[11] *Samasatenum*, M.
[12] *Maordomum*, M.
[13] *Diascorum*, M.
[14] M. omits *venena*.
[15] *Malignancium*, M.
[16] *Baratrum*, M.

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iterum mater Ecclesia attestatur et etiam detestatur, dum pro diuersis erroribus quibus fuerunt[1] impliciti ipsos damnat. Doctores insuper antiqui pariter et moderni ipsorum haereses tam rationibus quam auctoritatibus detestando reprobant et condemnant, quod scilicet spiritum sanctum a solo patre procedere asseuerant, quod nullam animam usque ad diem judicii esse in paradiso vel in inferno pertinaciter mentiuntur, et quod primatum[2] Ecclesiae non esse in Romano Pontifice astruunt et affirmant, et quia Reges Franciae a tempore quo fidei donum et baptismi gratiam susceperunt semper suscitatores, promotores, [3]defensores, et alumni ac[3] pugiles ipsius, quae sola vera et[4] catholica est, Romanae fidei extiterunt, et super omnes alios Reges mundi ipsam per se et suos declarauerunt,[5] et per ipsam vitam disposuerunt et proprium sanguinem effuderunt. Nec[6] viderentur primis ultima conuenire, si majestas vestra *deuota cum tam perfidis et antiquatis haereticis foedera copularet.* Secundam rationem quare foedus iniri non debet[7] cum praedictis assumo, ne videatur pars accipi contra Deum et pactum fieri cum inferno. Ad hoc dissuadendum suadent me testimonia[8] scripturarum. Psalmista namque in populum suum iratum fuisse Dominum memorauit quia non disperdiderunt gentes quas dixit Dominus illis, sed commixti sunt inter gentes, et didicerunt opera eorum, et [P. 35] servierunt sculptilibus eorum, et factum est illis in scandalum. Samuel Sauli ex verbo Domini maledicit, Abjecit, inquiens, te Dominus, ne sis Rex super Israel, quia projecisti sermonem Domini. Agag enim[9] Regem ad vitam contra mandatum Domini reseruauit. Jonatham Machabaeum, cui cuncta prospere in bellis Domini successerunt, ipse Dominus captum in [10]manu hostium[10] dereliquit postquam foedus inierat cum Romanis. Acab ex *verbo Domini dictum fuit per unum de filiis prophetarum, cum Benadas*[11] Regem Syriae dimisisset et cum eo foedera copulasset: Quia dimisisti virum dignum morte de manu tua, erit anima tua pro anima ejus, et populus tuus pro populo. Angelus Domini viuentem[12] Josue in loco flantium[13] protestatur: Pollicitus sum ut non faceret[14] irritum pactum meum ubertum[15] in sempiternum, ita duntaxat[16] ut non feriretis pactum

[1] *Sunt*, M.

[2] *Prima tamen*, M., which of course reads *ffrancie, aiumpni*, below; *dampnat, condempnant*, above.

[3] *Defensores, alumpni, et*, M.

[4] M. omits this *et*.

[5] Here M. adds *firmauerunt atque dilatauerunt.*

[6] *Non*, M.

[7] *Debeat*, M.

[8] *Testimoniis*, M.

[9] *Et*, M.

[10] *Manus Domini hostium*, M.

[11] *Benedas*, M., which reads *filliis* jus: above.

[12] *Viuente*, M.

[13] *Flentium*, M.

[14] *Facerem*, M.

[15] *Vobiscum*, M.

[16] *Dumtaxat*, M.

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cum habitatoribus terrae hujus, et noluisset[1] audire vocem meam. Quamobrem nolui[2] delere eos a facie vestra, ut haberetis hostes. Josaphat Regi Juda cum Acab Rege Israel amicitias copulanti per Jehu [3] videntem fuit ex verbo redarguentis Domini intimatum: [4]Impio praebes auxilium et iis qui oderunt Dominum amicitia jungeris. Et idcirco iram quidem Domini merebaris.[4] De eodem quoque Josaphat legitur in his verbis: Post haec init[5] amicitias Josaphat cum Acozia Rege Israel, cujus opera fuerunt pessima, et particeps fuit ut facerent naues quae irent in [6]Tharsis, feceruntque assem[6] in Asyongaber. Prophetauit autem Eliezer ad Josaphat dicens: Quia habuisti foedus cum Acozia, percussit Dominus opera tua.

Tertia ratio sumitur ex parte Romanae Ecclesiae matris nostrae, quam ipsi despiciunt et contemnunt. Ipsam enim vocant et pronuntiant [M. 11 r] adulteram, meretricem, fornicariam,[7] Ecclesiam malignantem. Omnia ejus sacramenta tanquam nulla reprobant et condemnant. Nullum caput, nullum praelatum gratum, statum ordinem in ipsa esse pronuntiant et affirmant. Ejus filios canes immundos vocant, et[8] pluries in anno et publice denuntiant tanquam haereticos et scismaticos et tanquam [9]matre vestra[9] mortua et corrupta ab unitate corporis Christi mystici separatos excommunicantes et anathematizantes ac pronuntiantes eos [10]adimitam pro eo quod in azymo[10] conficiunt[11] execrantur. Si quos[12] ex nostris in eorum Ecclesiis celebrare contigerit, ipsas reconciliant et emundant, sicut si essent effusione sanguinis vel seminis emissione[13] violatae. Si quis eorum a quocunque[14] paruum vel magnum quid subtraxent furto, [P. 36] violentia, vel rapina, nulla per suos confessores imponitur restitutio facienda. Ipsi laudant in confessionibus et commendant si quis eorum[15] a nobis aliquid detinet quoquo modo, asserentes omnia esse a nobis tanquam ab injustis[16] possessoribus licite ac meritorie auferenda. Postremo cum omnes nationes aquilonis et orientis de Francis magna aestiment et commendent, omnes obedientes Romanae Ecclesiae Francos vocant, de quacunque gente vel progenie sint[17] exorti,

[1] *Voluissetis*, M., which reads *huius terre* just above.
[2] *Volui*, M.
[3] *Jhesum*, M.
[4] All this passage is very corrupt in both MSS. M. reads: *imperio prebet auxilium et hiis qui odcrunt Dominum amicitia iungulis et idcirco iram Domini merebaris.*
[5] *Iniit*, M., which seems to treat *Amicitias* as a name or place, always giving it a capital initial here.
[6] *Tarsis . . . classem*, M.
[7] *Fornicatoriam*, M.
[8] M. omits *et* here, giving also readings of *immundos* above, *puplice* below.
[9] *Membra*, M.
[10] *Azimitas . . . azimo*, M.
[11] Here M. adds *et*.
[12] *Quem enim*, M.
[13] M. omits *emissione*.
[14] M. adds *nostrum* here.
[15] M. omits *eorum*, and reads *comendant* just above.
[16] *Ministris*, apparently, M.
[17] Here M. adds *nati vel*, reading *Ffranci* above.

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ac propter hanc aestimationem quam de nobis habent [1]omni quae sub coelo est nos praeferunt nationi,[1] Graeci soli nos praeposterant et rejactant, et tanquam mortuos a corde nos judicant relinquendos, et[2] tanquam vasa perdita nos contumeliant et infamant. Haec et alia multa mala quae disserere per singula longum esset Graeca Ecclesia illa foeda de pulcritudine ac puritate Romanae Ecclesiae ac de ipsius filiis speciosis false, odiose, et [3]tumide opinatur.[3]

Quartam rationem accipio quae sequiter ex praemissis, ex eo scilicet quod nullus debet haereticis nec hostibus Dei nec Ecclesiae [4]inimicis exhibere auxilium vel favorem nec etiam alteri cuicunque in favorem criminis vel in juris[4] alterius detrimentum. Cum igitur Rex Franciae apud omnes nationes orientis et aquilonis et apud extrema terrarum admirandae aestimationis est et singularis excellentiae habeatur, et quantum ad omnis generis[5] nobilitatem supremus et quasi solus inter et super omnes occiduos principes nominetur, multum aduertere ac [6]insistere toto nisu debet[6] ut actus suos taliter ordinet et disponat quod ex ipsis nulli et maxime catholico et fideli possit scandalum et detrimentum aliquod[7] prouenire. Totus autem oriens scit quod Imperator Graecorum et Rex Rassiae duplicis notae macula sunt infames; una scilicet *quod sunt haeretici per Romanam Ecclesiam aestimati*, ac sicut tales a magnis temporibus condemnati; altera vero, quod sunt juris alieni falsi et proditorii inuasores et violenti[8] ac tyrannici detentores. Cum ergo nunc usque tales[9] fuerint a se ipsis et ab aliis reputati quod propter haereses suas ab Ecclesia Romana catholica sunt diuisi, quod et eis fratres Praedicatores et Minores[10] ipsos ad reditum in sinum matris Ecclesiae saepius adhortantes[11] per literas apostolicas ostenderunt, et tam auctoritatibus quam rationibus pluries probauerunt, quando scilicet et quoties auditum aurium praebuerunt, si modo talis ac tantus Rex cum eis foedera copularet, non aliud [P. 37] orientalibus videretur nisi quod eorum errores et blasphemias contra nostros et scismata[12] cum eorum superstitionibus approbaret. Et per consequens praedicti fratres cum suis literis et assertionibus[13] friuoli redderentur. Videtur[14] quod illa quae tenent usurpata dominia solidaret, quae non a quocunque,

[1] *Cum omni . . . est preferant vos nacioni*, M.
[2] M. omits this *et*.
[3] *Timide opinantur*, M.
[4] M. adds *de* here and omits *alteri* and *iuris*.
[5] *Gineris*, M.
[6] *Visere . . . visu (ut)*, M., omitting *debet*.
[7] M. omits *aliquod* here, reading *ffideli* just above.
[8] *Vio violenti*, M., which reads *tirannici* just below.
[9] *Tales* M. omits, leaving a space for insertion.
[10] *Minores et Predicatores*, M.
[11] *Adorantes*, M., which of course reads *racionibus, blasfemias*, below.
[12] *Scismatici*, M.; the scribe here apparently wished to correct this (to *scismata*), but the correction is not thoroughly done.
[13] Here M. adds *mendaces et*.
[14] *Videretur*, M., which of course reads *Ffrancie* below.

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sed proprie ab illis de domo Franciae injuste et indebite ac proditorie de[M. 11 v]tinent occupata, ut infra clarius ostendetur. Nec ego[1] possem modum alium cogitare per [2]quem ipsis[2] soliditas majoris fauoris et firmitas auxilii certioris[3] in suo errore atque tyrannide possit dari quam quod ille pacem cum eis ineat[4] atque foedus qui semper fuit haeresum extirpator et justitiae executor. Ex quo certe scandalum fidei et propinqui damnum euidens sequeretur. Videat igitur qui haec audit et judicet qui haec sentit utrum juste sit cum talibus alicujus foederis pactio vel cujuscunque amicitiae conuentio facienda.

De secundo quod in hac parte tangebatur, quod scilicet non sit in eis ullatenus confidendum.

Vides[5] igitur quod non sit pactum aliquod cum eis [2]faciendum. Sequitur secundum, scilicet quod[6] non sit in eis ullatenus confidendum. Et ad hoc probandum quatuor rationes quae sunt de facto breuiter explanabo. Prima ratio est a proprietate generali omnium orientalium nationum, quae habitualem consuetudinem habent fidem varie[7] mutare atque peruertere cum fortuna. Non enim sunt gentes in mundo quae melius sciant verbis et factis palliatis se tegere, adulationibus [8]ad alios demulcere,[8] larga et magna promittere, obsequiis delinire. Nec sunt gentes quae melius sciant a promissis diffugere, magis versute decipere, cautius unam proditionem texere, nec inuerecundius a juratis atque firmatis fidelitatibus resilire; quibus, cum plus promiserint et juraverint, minus credas; qui cum plus obsequii impenderint et honoris, tunc ab eis caueas, tunc suspectos habeas velut[9] hostes. Haec enim faciunt ut assecuratum hominem fallant et decipiant improuisum. Hos illi efferunt summa laude, hos honorant, promouent, et exaltant quos inuenerint[10] magis callidos et versutos, quos viderint pulcriora et [11]promptiora mendacia[11] inuenire, et quos nouerint scire ad finem intentum unam deducere falsitatem. Caue, Domine mi Rex, ne ignem in sinu foueas, hostem in thoro, et ne in gremio scorpionem nutrias aut serpentem. [P. 38] Secunda ratio est, quia licet ipsi[12] cum orientalibus participent in praedictis, quilibet tamen eorum est de domo magis proditoria orientis aut etiam aquilonis. Imperator siquidem nunc Graecorum est de quadam domo quae vocatur Palaeologorum, sic nominata[13] a quodam

[1] *Ergo*, M.
[2] *Quam ipsi*, M.
[3] *Cretioris*, M.
[4] *Iniat*, M.
[5] *Viso*, M.
[6] *Fericndum . . . secundum secundum quod scilicet*, M.
[7] *Variare*, M.
[8] *Demulcere aliis*, M., which of course reads *caucins* below.
[9] *Veld* (for *velud*), M.
[10] *Inuencrunt*, M.
[11] *Prompciora mendantia*, M.
[12] M. omits *ipsi*.
[13] *Denominata*, M.

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qui Palaeologus primitus est vocatus, a quo omnes hujusmodi cognationis descenderunt. Qui propter proditiones quas in dominum suum commiserat captus fuit et priuatus omnibus bonis[1] suis et cingulo militari. De cujus progenie natus fuit Palaeologus atauus hujus qui Graecorum imperium modo tenet. Qui quidem Palaeologus, postquam proditiones[2] multas commiserat et nephandas, tandem Philippum filium Balduini secundi patrem Dominae Katherinae uxoris felicis[3] memoriae Domini patris vestri quandam filiam Karoli primi Siciliae Regis susceperat, de imperio effugauit, et in ipsum imperium temerarie se intrusit. Postmodum vero timens idem Palaeologus quod quia domum Franciae multum offenderet[4] per expulsionem praedicti Philippi de imperio, qui tam ipse quam pater suus de domo Franciae originem habuerunt, ne per Dominum Karolum Regem Siciliae primum sibi imperium auferretur, qui tunc ad hoc magnum fecerat apparatum, ad calliditates et fallacias[5] se conuertit,[6] et ex una[7] dixit se velle Ecclesiae Romanae submittere et fidem suscipere et seruare, et ad hoc etiam nuntios misit ad [8]concilium Lugdunense.[8] Ex altera autem parte Dominum Petrum Regem [9]tunc Aragoniae[9] induxit magnis exhibitis [10]pecuniis et promissionibus quod praedicto Karolo rebellante Siciliam[10] occuparet, ut sic ipsum [M. 12 r] Karolum ab inuasione imperii remoueret, quod et factum est, ut testatur verius dies praesens. Filius etiam hujus Palaeologi Andronicus nomine auus istius de quo texitur sermo praesens non sine proditionibus[11] vitam duxit. Mortuo siquidem patre suo, clero et monachis coronationi suae assentire volentibus,[12] fuit per eos ad faciendum quinque juramenta sacrilega inclinatus miser ille[13] sacrilegus perditus et seductus.

Primum juramentum fuit quod Romanae Ecclesiae fidem nunquam reciperet, sed ipsam excommunicaret cum omnibus sibi adhaerentibus et malediceret in aeternum. Secundum quod Graecorum fidem nunquam desereret, nec ei verbo vel facto in aliquo contrairet. Tertium, quod quia pater ejus fidei Romanae[14] adhaeserat et mortuus fuerat in eadem, ipsum malediceret et excommunicando perpetuo [P. 39] anathemati obligaret. Quartum, quod in detestationem Romanae fidei et Ecclesiae eundem patrem suum nunquam permitteret sepeliri.[15] Quintum, quod

[1] M. omits *bonis*.
[2] *Productiones*, M., which reads *Katerinae* below.
[3] *Fletis*, M., which as usual makes its *vestri* like *nostri*.
[4] *Offendant*, M. which, above, corrects *Scicilie* to *Sicilie*.
[5] *Fallacitates*, M.
[6] *Conuertis*, M.
[7] Here M. adds *parte*.
[8] *Consilium Lugdinense*, M.
[9] *Agonie tunc*, without sign of contraction, M.
[10] *Peccuniis . . . promissis . . . Sciciliam*, M.
[11] *Prodictionibus*, M.
[12] *Volentibus assentire*, M.
[13] *Ipse*, M.
[14] Here M. adds *ecclesie*.
[15] *Sepelire*, M.

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quia pater suus multum effuderat[1] sanguinem monachorum quia nitebantur praedictam unionem cum Romana Ecclesia impedire nunquam per se vel per alium judicium mortis vel sanguinis promulgaret. Haec autem juramenta ita stricte et cum tanta perseuerantia obseruauit quod per ipsum usque ad hanc diem dispensatio nulla fuit. Sed postquam fuit in imperio solidatus, licet sanguinem non effuderit, ut firmauerat juramento, ad alia tamen crudelitatis et infidelitatis genera contra etiam illos de domo propria expressius conuertit. Nam fratrem unum proprium excoecauit, et alterum fecit in carcere mori fame. Sororem etiam suam macerauit squalore[2] carceris et occidit. Omnes iterum de sua stirpe pene aut proscripsit aut carceri mancipauit, nec permisit aliquam de praedictis cum pace descendere ad inferna.

Tertia ratio est, quia iste qui nunc in Graecia iniquum obtinet principatum, nomine Andronicus, in domo tam praeditoria natus et patrum suorum oblicationibus[3] extra veritatem et justitiam educatus, progressu successorio obtinet, falsitates et proditiones ostendit se in suis[4] prauis operibus jure hereditario possidere, ut videatur in sua domo quanto posterior, tanto pejor. Et ut de multis pauca dicam, ipse fratrem suum[5] unicum uterinum manu propria interfecit, auum suum Andronicum supradictum, qui eum nutriuerat tanquam pater, de imperio deposuit et dejecit, et in quodam monasterio eum trudentes[6] violentatum ac pro viribus renitentem[7] monachum[8] fecit, ubi adhuc degit in magna miseria et dolore, propter [9]continuos singultus et assiduas lacrymas factus [9]. coecus. Qui quamuis[10] ista bene meruerit, malus senex tamen a proditione[11] nepharia actorem juuenem non excusat. Haec de Imperatore Graecorum.

De Rege vero Rassiae quid exponam, cum ipse in illo regno de [12]jure locum non habeat neque secum.[12] Sed similis eum infidelitatum, proditionum, ac tyrannidum noxa grauis, [13]nota tamen,[13] praedicet ac infamem, et catena scelerum usque ad ipsum a suis progenitoribus extendatur, quae de malo in pejus crescit in eo continue et augetur. Ad hoc autem aptius[14] declarandum, sciendum quod fuit quidam Rex Rassiae qui Stephanus vocabatur. Et hic habuit duos filios; quorum unus Ste-

[1] *Effunderat*, M.
[2] *Sualor*, M.
[3] *Obligationibus*, M., which of course reads *optinet* below.
[4] M. omits *suis*.
[5] *Proprium*, M.
[6] *Trudens*, M.
[7] *Reluctantem*, M.
[8] *Eum*, M.
[9] *Continuatos . . . lacrimas factus est*, M.
[10] *Licet*, M.
[11] *Productione*, M.
[12] *Iure non habeat neque focum*, M.
[13] *Vocatum*, M.
[14] *Apertius*, M.

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phanus,[1] alter vero fuit Vrosius nominatus. Post mortem autem Stephani Regis [P. 40] patris istorum Vrosius contra jam fatum Regem Stephanum insurrexit, quem Stephanus bello aggrediens superauit. Sed postea misertus sanguinis fratris sui, ipsum dimisit, et cum eo regnum voluntarie condiuisit.[2] Accepit Stephanus [M. 12 v] filiam Regis Ungariae in uxorem nomine Katherinam sororem[3] felicis recordationis Dominae Mariae Reginae Siciliae et Ungariae, quae fuit mater bonae memoriae Dominae matris vestrae. Ex ista autem Domina Katherina iste Stephanus filium generauit, qui Vlatislaus fuit[4] nominatus. Moriens autem Stephanus [5]suum Vlatislaum filium[5] Regem et heredem partis regni quam sibi retinuerat dereliquit, ita tamen quod Vrosius ab eodem Vlatislao[6] tanquam vassallus recognosceret se tenere reliquam partem regni. Vrosius autem contra Vlatislaum nepotem suum et dominum insurrexit, et ipsum cepit, et ablato sibi regno toto, in carcerem vinculauit, a quo, viuente Vrosio, non potuit liberari. Accepit autem Vrosius uxorem Dominam Elizabeth sororem [7]Dominae auiae vestrae.[7] Qua repudiata et viuente, accepit filiam Imperatoris Graecorum qui tunc erat, sororem videlicet istius qui nunc est Imperator. Ex ipsis autem uxoribus filios non suscepit; sed ex diuersis concubinis duos filios generauit, quorum[8] unus Constantinus, alter vero fuit Stephanus nominatus, qui pater fuit istius qui nunc regnum Rassiae detinet occupatum. Hic Stephanus contra patrem suum Vrosium insurrexit, et eum vita et regno priuare pluries attentauit. Tandem per patrem captus exoculari mandatur, et in Constantinopoli[9] cum duobus filiis suis exilio relegatur. Et quia carnifex[10] corruptus pecunia in pupillam oculi directe, sicut per patrem ordinatum fuerat et mandatum, lanceolam non infixit, per medecinas appositas oculis, licet non plenarie, aliqualiter tamen vidit. Quod tamen quandiu pater ejus vixit ita celatum esse voluit et secretum quia[11] filium proprium, quia hoc puerili sagacitate perpenderat, continuo manu propria strangulauit timens ne alicui reuelaret. Et sic qui patrem occidere voluit, filio non pepercit. Postea vero pater misertus ejus, credens ipsum penitus esse coecum, eum post multos annos quibus in exilio fuerat revocauit. Mortuo autem Vrosio patre suo, [P. 41] cunctis de regno per literas scriptas manu propria manifestans et aperiens quod videret, sequelam maximam [12]promissis et[12] muneribus secum traxit, et

[1] M. here adds *vocabatur*.
[2] *Condimisit*, M.
[3] M. omits *sororem* and reads *Katerinam, Scicilie*.
[4] M. omits *fuit*.
[5] *Filium suum Vlatislaum*, M.
[6] *Vlatislav*, apparently, M.
[7] *Auie Dominae vestrae*, M.
[8] *Et*, M.
[9] *Constantinopolim*, M., which of course reads *attemptauit* above, *sicud* below.
[10] *Carnifer*, M.
[11] So also M.; P. corrects to *quod*.
[12] *Promisit*, M.

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Vlatislaum verum regni heredem jam de carceribus liberatum et ad regnum vocatum de toto regno expulit et fugauit. Deinde fratrem proprium et unicum Constantinum supradictum in carcerem vinculauit et inaudito crudelitatis genere interfecit. Nam super lignum ipsum extendi fecit, et clauis infixis per brachia et per crura et per cerebri medium interemit. Talis est[1] progenies viperina, talia venenata pocula reicit ac diffundit. Si vero quis audire voluerit de isto qui in Rassia modo regnat, filio hujus coeci, profecto cognoscet quod licet sit corpore junior et aetate posterior, veneno tamen malitiae inauditae [2]suos in factorem tam fortem voluntate[2] progenitores superat et excedit. Nam patrem proprium, ut praemissum [3]est, spurium,[3] illigitimum, male natum, crudelem, tyrannum, filicidam, fratricidam, et quantum in eo fuit[4] patricidam cepit, vinculauit, carceri mancipauit, et plusquam crudeliter interfecit. Ecce, Domine mi Rex, Imperatorem et Regem praefatos ac domus ipsorum tales describo quales esse totus oriens attestatur et magna ex parte certa experientia sum expertus et edoctus. Nunc ergo vestrae circumspectionis prudentia videat et discernat utrum sit in istis de promissione, juramento, ac fidelitate aliqualiter confidendum, qui sicut generatio peruersa et infidelis[5] de mala natione et praua stirpe proueniunt, de Deo male[6] sentiunt, ecclesiae non obediunt, parentes perimunt, filiis non parcunt, fratres occidunt, genus proprium destruunt[6] et confundunt, qui [M. 13 r] consanguineis noscuntur esse alieni, amicis hostes, domesticis inimici, falsi ad dilectores, ad auxiliatores[7] proditores, subditorum oppressores,[8] alieni juris inuasores, dominorum suorum crudelissimi interfectores.[9]

Quarta ratio quare non sit in eis ullatenus confidendum est[10] propter illa quae alias[11] Graeci fuerunt contra nostros proditorie machinati. In historiis enim ultramarinis legitur quod in quodam passagio calcem viuam cum farina, quam vendebant Dei exercitui, miscuerunt, ex qua panis confectus et comestus excidium conferre poterat, non salutem, et cor non confirmare, sed potius infirmare. Quod quidem facinus inauditum et proditio alias[12] a seculis inexperta multos ex nostris per infirmitates varias et mortes subitas subtraxerunt. Item [P. 42] alia vice [13]suae malignitatis astutiam ad talem nequitiam conuerterunt[13] quod naues et

[1] Here M. adds *hec.*
[2] *Suos in facto non tamen in voluntate,* M. P. corrects *factorem* to *fictorem.*
[3] *Et suspirium,* M.
[4] Here M. adds *et.*
[5] *Infideles filii,* M.
[6] M. omits *male,* to insert it after *destruunt.*
[7] *Auxiliarios,* M.
[8] M. omits *oppressores.*
[9] *Occisores,* M.
[10] Here M. adds *propter ipsam.*
[11] *Alii,* M.
[12] M.'s reading here is preferably *aliis.*
[13] *Ad talem nequitiam sue malignitatis astutiam conuerterunt,* M.

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galeas quae necessaria pro passagio transuehebant in portu Constantinopolitano in inferiori parte ipsarum per homines qui vocantur merguli perforarunt,[1] ut aqua citius implerentur, et in profundum subito mergerentur,[2] et omnia quae exercitui erant necessaria perderentur, ut sic [3]necessitatus exercitus aut ad propria remearet, aut certe Graecorum[3] et aliorum infidelium gladiis interiret. Quod et factum fuisset, nisi Deus propitius et defensor consilium Graecorum malignantium detexisset. Quia igitur satis pro modo huic tractatui congruenti digestum et ostensum est quomodo cum praedictis non est foedus aliquod faciendum nec in eis est ullatenus confidendum, nunc est ad tertium procedendum. Tertium igitur[4] est ostendere ac declarare causas justas, licitas, et honestas ad eorum dominium inuadendum et ab eis cum serenitate conscientiae auferendum. Et licet sint causae sufficientes illae quae elici et haberi possunt ex rationibus supradictis, tamen aliae quatuor causae sunt breuiter subnectendae quantum ad istum spectat qui Graecorum Imperatorem se dicit, quas breuiter explanabo.

Prima causa est, quia licet sui progenitores, velut alter Herodes, sicut volunt suae genealogiae seriem ordinant,[5] per quam nituntur proditiones[6] quas fecerunt in occisionibus dominorum suorum[7] infamiam operire necnon et[8] gloriam culminis Augustorum se fallaciter sublimare, rei veritas tamen existit[9] quod ipsi nec lineam imperatoriam nec parentelam sanguinis attigerunt.[10] Palaeologus atauus istius texere inchoauit, qui fuit primus "Imperator et primus" proditor domus suae.

Secunda causa est [12]proueniens ex praedicta[12] Patet enim quod nullum jus obtinet in imperio, quod atauus ejus primus violentator, tyrannus, et injustus possessor sibi non debitum usurpauit. Nisi velit quis dicere quod illud obtinet jure proditorio per successionem[13] et injustitiae sibi a suis prauis patribus [14]derelictum. Sed ut videamus[14] clare quod jus illius imperii ad alterum pertineat,[15] non ad ipsum, quantum ad patris[16] spectat rationem facti breuiter hic perstringo. Quidam nobiles de Francia transfretantes in subsidium terrae sanctae Constantinopolim

[1] *Perforarent*, M.
[2] *Mergentur*, M., which of course reads *excercitui*.
[3] *Necessitus excercitus apparere mercat aut terre Grecorum, M.*
[4] *Ergo*, M.
[5] *Ordinatur*, apparently, M., which of course reads *velud, sicud*, above.
[6] So M.; P. corrects to *proditionum*.
[7] Here M. adds *et inuasione imperii excusare atque obfuscacionem sui generis et natalium suorum*, M.
[8] M. here adds *in*.
[9] *Existat*, M.
[10] M. here adds *nisi quam*, joined on immediately to *Paleologus*, etc.
[11] M. omits *imperator et primus*.
[12] *Perueniens ex predictis*, M., which of course reads *optinet*, below.
[13] M. here adds *iniquitatis*, reading *patribus prauis* below.
[14] *Derelicto sic ut videmus*, M.
[15] *Optineat*, M.
[16] *Patrem*, M.

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deuene[P. 43]runt, videlicet [1]Balduuinus Comes Flandrensis.[1] Ludouicus Comes Blesensis, Stephanus Perticensis,[2] et Marchio Montisferrati. Inuenerunt autem eandem ciuitatem ab Andronico occupatam, qui fratrem proprium Thurshac[3] dejecerat, excoecauerat, et in carcerem incluserat valde durum, in quo posuit Alexium nepotem suum ipsius filium excoecati. Alexius vero Dei volito de carcere liberatus ad praedictorum Francorum [M. 13 v] [4]exercitum se conjunxit.[4] Qui praedicti tyranni Andronici facinus horrescentes, ciuitati protinus bellum parant.[5] Quam ingressi, Andronicus effugatur et Alexius juuenis in imperium coronatur, patre Thurshac prius de carcere liberato. Alexius autem, sicut ingratus et falsus, paruipendens quod[6] Francos vitam conseruassent[7] et ad coronam imperii peruenisset,[8] mala machinatus est plurima contra ipsos, in [9]hoc a[9] Graecorum perfidiis[10] non declinans. Qui permissione justa[11] diuina per Mortulfam[12] suum quendam hominem capitur et in lecto dormiens strangulatur, postquam jam Francos de ciuitate expulerat et contra ipsos attentauerat, ut praedicitur, multa mala. Nihilominus tamen Franci in detestationem facinoris contra Mortulphum arma capiunt, ciuitatem impugnant, et infra decem dies capiunt impugnatam. Et quia Alexius sine herede et legitimo successore imperium dereliquit, Balduuinus supradictus Comes de consilio unanimi et assensu principum, cleri, et populi uniuersi in Imperatorem eligitur et in Ecclesia sanctae Sophiae solemniter coronatur, atque sibi laus imperialis ab omnibus acclamatur. Postquam[13] vero Franci dictum imperium per successiones aliquas tenuissent, peruenit tandem[14] ad Philippum filium Balduuini secundi, qui fuerat filius Petri de Cortenayo[15] Comitis Altisiodorensis et sororis primi Balduuini et Henrici fratrum, qui [16]imperium etiam sine herede successiue reliquerant.[16] Hic Philippus filiam Karoli primi Regis Siciliae duxit in uxorem, quae fuit amita[17] matris vestrae. Ex ista autem uxore praefatus Philippus genuit Dominam Katherinam, quae fuit uxor

[1] *Balduinus . . . Flandorensis*, M., which of course reads *Ffrancia* above.
[2] *Particensis*, M.
[3] *Tursach de imperio*, M.
[4] *Excitum secum duxit*, M.
[5] *Pararit*, M., which reads *orrescentes* above.
[6] *Quod per Francos*, M.; P. corrects *Francos* to *Franci sibi*.
[7] *Conservasset*, M.
[8] P. corrects to *promouissent*.
[9] M. omits *hoc a*.
[10] M. adds here *et falsitatibus*.
[11] *Iuxta*, M.
[12] *Mortulfum*, M., reading, by careless repetition of letters at end of one and beginning of next line, *quendmam*, just below; and giving the customary *Ffrancos, Ffranci, Scicilie, attemptauerat, detestacionem, nichilominus*, lower down.
[13] *Postque*, M.
[14] *Quod* M. adds here.
[15] *Coutenayo*, M.
[16] *Ipsum tenuerant et sine herede relinquerant successiue*, M.
[17] So P., clearly uncorrected; *amica*, M.

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Domini Karoli felicis memoriae patris [1]vestri et mater sororis vestrae nunc [relictae] Principis Tarentini.[1] Palaeologus autem tam Philippum praedictum quam Dominam Katherinam ejus filiam de imperio effugauit, et ipsum imperium tyrannice et praedaliter occupauit; quod et iste Andronicus Palaeologi pronepos [P. 44] eodem non jure sed injuria detinet occupatum.

Tertia causa est, quia istud[2] imperium non detinetur in damnum[2] alterius cujuscunque, sed in damnum et[3] detrimentum ac dispendium domus vestrae. Vera enim heres hujus imperii, Domine mi Rex, soror tua est bonae memoriae Principis Tarentini uxor relicta; ejusque filii nepotes[4] tui et consobrini germani sunt in tuis manibus orphani derelecti, qui[5] ad te dirigunt oculos suae mentis, quem diuinae prouidentia bonitatis eis contulit et concessit singulare solum et unicum refugium ac[6] juvamen. Et tu ipse, Domine,[7] potentiae tuae dextera pupillum et viduam suscipias, et vias Graecorum peccatorum destruas et disperdas, pietatis amator[8] et justitiae executor.

Quarta causa est vindicta effusi sanguinis Gallicorum fidelium innocentium. Palaeologus namque, quando, ut praedictum est, [imperium] occupauit, omnes Francos quos in Constantinopoli[9] et in toto late imperio potuit inuenire crudeliter trucidauit. Quanta autem crudelitatis[10] insania tunc et alias Graeci contra Francos "fuerint debacchati" testis est agger ossium mortuorum qui in quadam crypta quae est intra murum ciuitatis juxta Bucam leonis palam cunctis videre volentibus demonstratur, quos non permiserunt[12] ullatenus sepeliri in detestationem[13] nostrae fidei et odium Gallicorum. De Rege vero nunc Rassiae patet etiam illud idem, quod scilicet regnum illud nec per successionem legitimam,[14] nec per hereditatis conuenientiam, sed per violationem alieni juris obtentum,[15] per tyrannidem est[16] possessum, et per[17] proditionem detinet ipsum occupatum.[17] Ipse[18] namque. ut superius est expressum, filius spurii est illius qui in patrem suum Vrosium insurrexit[19] et in eum usque ad mor-

[1] M. omits *vestri*, and reads: *et mater sororis vestrae relicte nunc Principis Tarentum; Katerinam*, of course, above and below.

[2] *Iustum, Imperium detinetur non in dampnum*, M.

[3] *Ac*, M.

[4] *Nepotis*, M.

[5] Here M. adds *quia*.

[6] *Et*, M.

[7] M. omits *Domine*.

[8] *Et mater*, M.

[9] *Constantinopolim*, M., which of course has *imperium* above.

[10] *Crudelitas*, M.

[11] *Fuerunt debacati*, M.

[12] *Miserunt*, M., which reads *cuntis* above.

[13] *Detestaciones*, M.

[14] *Logitima*, M.

[15] *Obtentam*, M.

[16] M. omits *est*.

[17] *Perdicionem detinet ocupatam*, M., omitting *ipsum*.

[18] Originally *prope* in M., insufficiently corrected to *ipse*.

[19] *Insurrexerat*, M.

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tem conspirauerat et multas proditiones tractauerat, propter quae pater ipsum jusserat excoecari et in exilium relegari, qui insuper post mortem patris sui Vrosii Vlatislaum consobrinum vestrum filium Regis Stephani regni praefati verum[1] de jure dominum et heredem[2] per tyrannidem, proditionem, et injuriosam violentiam effugauit. Si enim in dicto regno aliquod jus haberat, hic inquam spurii filius qui nunc regnat, certe totum dinoscitur [3]perdidisse. Fuit[3] enim nunc de nouo proditor et captor patris proprii et occisor.

(*To be continued.*)

[1] *Merum*, M.
[2] *Heredes*, M.
[3] *Prodidisse fuit*. M.

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REVIEWS OF BOOKS

BOOKS OF ANCIENT HISTORY

Ancient Records of Egypt. Historic Documents, from the Earliest Times to the Persian Conquest. Collected, edited and translated, with commentary, by JAMES HENRY BREASTED, Ph.D., Professor of Egyptology and Oriental History in the University of Chicago. Four volumes. (Chicago: University of Chicago Press. 1906. Pp. xlii, 344; xxviii, 428; xxviii, 279; xxviii, 520; and index volume.)

WHILE the historical records of Babylonia and Assyria have long been accessible, in handy form, in Schrader's well known *Keilinschriftliche Bibliothek,* it is somewhat remarkable that up to the present time there has been no similar provision for the study of the records of ancient Egypt. Scattered as they are through a large number of publications, many of them difficult of access, it has been no easy matter even for the trained Egyptologist to obtain a comprehensive survey of the field, while for those students who must consult the sources of Egyptian history through the medium of translations the difficulties have been well-nigh insuperable. A considerable number of important inscriptions are translated in *Records of the Past,* but they are merely selections, made upon no very definite plan, from the great mass of existing material, and with the rapid progress of Egyptology the translations in that series are now, with few exceptions, completely antiquated. For more recent translations, where they exist, search must be made through a wide range of Egyptological literature, and in any case, until the appearance of Professor Breasted's *Ancient Records,* prolonged study was necessary before the student could assure himself that his material approached completeness. It may be questioned whether any student of Egyptian history can ever carry on independent investigation of the subject without a competent knowledge of the Egyptian language, just as no one would attempt to investigate French history without a knowledge of French, or Roman history without a knowledge of Latin. Yet by the aid of reliable translations, and such other help as can be furnished by the Egyptological specialist, much can be accomplished, and it must be admitted that Professor Breasted's work has made the conditions as favorable as possible. In its four volumes he has given practically everything of importance for Egyptian history that is to be found in the whole range of Egyptian literature, as at present known, from the earliest period down to the Persian conquest. The plan of

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the work is thoroughly systematic. The texts, arranged in chronological order, are given in English translation, each text being preceded by a brief introduction setting forth the historical significance of the document, its character, and occasionally a summary of its contents, while copious foot-notes describe the individual monuments, give all necessary bibliographical information, and furnish a running commentary dealing with such matters as may require explanation. The first volume also contains a valuable discussion of the documentary sources of Egyptian history, and a very clear exposition of the complicated subject of Egyptian chronology. The mere assemblage of the material for the work must have involved a prodigious amount of labor and this was increased by the general unreliability of the published Egyptian inscriptions and the resulting necessity for collating anew nearly every monument translated in order to secure a trustworthy text as the basis of the work. For this purpose Professor Breasted had exceptional advantages. His connection with the great Egyptian dictionary, now being prepared in Germany, gave him access to all the valuable material gathered for that work, and enabled him to copy from the originals nearly all the historical monuments of Egypt in the various European museums, and a stay in Egypt afforded further opportunities. These advantages he has fully utilized, and the general accuracy of the texts upon which his translations are based may be regarded as assured. The close attention which he has given to this fundamental requirement is characteristic of the thoroughness of his work in all particulars.

In regard to the selection of his material Professor Breasted has shown excellent judgment. In the great mass of Egyptian literature it is not always easy to decide just what constitutes historical material and what does not. In the broader sense the religious, scientific, legal, and commercial documents may very fairly claim to rank as historical material, and perhaps the more purely literary compositions as well, since all these throw light upon important phases of ancient Egyptian civilization. Yet these monuments, for the most part at least, fall more properly within the sphere of archaeology than of history, and the preservation of a just proportion demands their exclusion from a work specially devoted to the assemblage of historical documents. Occasional exceptions have, however, been made with advantage. Thus, the several testamentary dispositions included among the records of the Old Empire (*e. g.*, Vol. I., §§ 190, 200, 213) not only serve to fill out the rather scanty material available for this period but also contribute important facts, while the contracts of the nomarch Hepzefi with the priests of Siut (Vol. I., § 535 ff.) afford invaluable information in regard to the constitution of the nome during the feudal period. The tale of Sinuhe (Vol. I., § 486 ff.) is undoubtedly to be classed with the historical romances so popular with the ancient Egyptians, but it was certainly written at a time when the memory of the historical events alluded to was still fresh, and the date given in it for the death of

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Amenemhet I. is corroborated by the monuments. The introductory narrative may therefore be accepted as essentially historical, and the fact that it contains the earliest known account of Palestine would alone constitute ample justification for its insertion.

With regard to the Sphinx Stele (Vol. II., §810 ff.) and the Bentresh Stele (Vol. III., §429 ff.) the case is not so clear. Both these monuments are certainly apocryphal, as Professor Breasted of course points out. They were composed at a late period for the purpose of enhancing the importance of certain deities, and the Bentresh Stele, especially, is full of historical absurdities, though it may possibly preserve the traces of a genuine tradition. The introductory narrative of the Westcar Papyrus and the legendary account of the beginning of the Hyksos wars in Sallier I. would seem to have quite as good a claim to be included in the work, though both are omitted. Nevertheless these texts are interesting, and it was probably well to include them as specimens of what the Egyptians themselves regarded as history, especially as it is now well known that both Herodotus and Manetho drew largely from just such sources as these. It perhaps is to be regretted that, except the Abydos inscription of the reign of Khenzer (Vol. I., §781), Professor Breasted does not give any monuments of the Hyksos period. The historical material for this period is so scanty that even the smallest scrap of information is important, and at least the date (thirty-third year of Apophis) from the Rhind Mathematical Papyrus, or the Bubastis inscription of Apophis (Naville, *Bubastis*, I. 35 c) might well have found a place. Omissions of this kind are, however, so rare that they only emphasize the general completeness of Professor Breasted's work.

The translations exhibit the same careful attention to matters of detail that is everywhere apparent. Lacunae, restorations, variant readings, and words of doubtful import are carefully marked, and while comparison with the original is facilitated by numbering the lines in superior type, the text is conveniently divided into paragraphs in accordance with the subject matter. The employment of headings, indicating the contents of the respective paragraphs, may be noted as a useful device. Paraphrases are scrupulously avoided and the endeavor has been made to give a rendering as closely literal as possible without doing violence to English idiom. In this difficult endeavor Professor Breasted has been, as a rule, most successful, and his translations are in all respects the best that have as yet appeared in English. Here and there, perhaps, his close adherence to the phrasing of the original may cause some difficulty, but in all such cases the needful explanation is furnished by the foot-notes. A close translation of this character, which faithfully reproduces the spirit and flavor of the original, is certainly, in spite of some occasional harshness, far better than a smooth rendering in which the difficulties are glossed over and a thoroughly un-Egyptian point of view is read into the texts.

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Although the *Ancient Records* is designed chiefly for historical students not possessing a knowledge of Egyptian, and admirably fulfills that purpose, it is safe to say that it will be no less useful to the student of Egyptology. While the most advanced Egyptologist may consult it with profit, to the less experienced scholar it will prove an invaluable boon. Nowhere else can he find grouped together such a comprehensive body of material, arranged moreover in thoroughly convenient form. The very reliable translations supply a safe guide, especially needful in view of the fact that no complete Egyptian dictionary as yet exists; the succinct bibliographies accompanying the individual texts furnish a useful key to the literature of the subject, and in regard to all matters of detail the introductions and notes yield a fund of valuable information which the learner could gather for himself only at the expense of much weary toil. In wideness of scope, thoroughness of treatment extending to the minutest details, systematic arrangement, and conscientious scholarship Professor Breasted's *Ancient Records* takes high rank, and it can not be doubted that it will have a most important influence upon Egyptological studies in the domains both of history and of philology. In the preface the author intimates that he may, in the future, treat in a similar manner the religious, scientific, literary, legal, and commercial documents of ancient Egypt. It is to be hoped that his implied intention may be carried into effect. The whole body of Egyptian literature ought to be made accessible, and no one is better qualified to do the work than Professor Breasted.

CHRISTOPHER JOHNSTON.

Egyptological Researches. Results of a Journey in 1904. By W. MAX MÜLLER. (Washington: Published by the Carnegie Institution. 1906. Pp. 62.)

IN this volume the author presents the results of his work in Egypt during the summer and autumn of 1904, gathering his material partly from the more recent accessions of the Cairo Museum, and partly from the site of ancient Thebes. It contains 106 plates, chiefly of hieroglyphic inscriptions, but comprising also reproductions in heliotype and in color of reliefs and mural paintings, preceded by 62 pages of commentary and descriptive matter. While some of the monuments here published may justly claim to rank as recent discoveries, Professor Müller's prime object has been, not to discover new inscriptions, but to secure accurate copies of inscriptions already known. The urgent need for such work will be appreciated by every Egyptologist, and has been strongly emphasized by the great advances in Egyptian grammatical studies made during the past two decades. The value of Professor Müller's critical work in the study of Egyptian texts has already been demonstrated in his excellent edition of the famous treaty of Ramses II. with the Hittites (*Mittheilungen der Vorderasiatischen Gesellschaft*, 1902, 5), and the present volume affords additional evi-

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dence of the wisdom of his course. It is, as he says, precisely in the best known texts that he has obtained the most valuable results.

The monuments selected for publication in the *Researches* are chiefly such as illustrate the foreign relations of ancient Egypt, especially with Asia and Europe. Among the most important texts of this description are the great inscription of Mer-ne-Ptah at Karnak (Pl. 17–32), the autobiographic inscription of Amem-em-het who served as an officer in the Asiatic campaigns of Thothmes III. (Pl. 33–39), the list of Syrian cities conquered by the last named monarch (Pl. 44–53), the list of rebellious cities punished by Ramses II. (Pl. 60–63), the Asiatic names from the great list of Ramses III. (Pl. 64–74), and the list of Palestinian towns plundered by Shosheng I. (Pl. 75–87). To these should be added the decree of administrative reforms by King Har-em-heb (Pl. 90–104), which deals purely with internal affairs and therefore forms an exception to the general category. All these, it will be seen, are inscriptions of prime importance, and the accurate text established in these cases by Professor Müller is a gain of distinct value.

The reliefs and mural paintings reproduced in the work are especially interesting. Plate 1, for example, reproduces a relief from the Cairo Museum representing foreigners, probably Europeans from the shores of the Aegean, coming into Egypt with tin, a metal which at that period was ultimately obtained either from Britain or from the mountains of central Germany. The monument dates from about 2500 B. C. Of the same period is another relief (Pl. 2) depicting Babylonian embassadors or merchants visiting the land of the Nile. The fine representations in color of Aegean embassadors from the tomb of Sen-mut (Pl. 5–7), and of Asiatics from the tomb of Ann'a (Pl. 8–11) date from about 1500 B. C. All this bears striking testimony to the lively intercourse existing at a very remote period between the peoples of antiquity, in regard to which evidence has for some time been accumulating. Plates 105–106, representing surgical operations performed about 2500 B. C., are particularly interesting. The author's commentary is replete with acute observations and valuable suggestions. The plates are admirably executed and the appearance of the book is attractive. A proper share of credit should be given to the liberality of the Carnegie Institution which made possible Professor Müller's mission to Egypt and the publication of his work.

CHRISTOPHER JOHNSTON.

Manuel d'Histoire Ancienne du Christianisme. Par CHARLES GUIGNEBERT, Chargé de cours à la Faculté des Lettres de l'Université de Paris. *Les Origines.* (Paris: Picard et Fils. 1906. Pp. xxiii, 549.)

THE sub-title of M. Guignebert's manual raises the agreeable hope that he proposes to continue the work. The present volume is limited to the first century, and M. Guignebert who is the author of a work on

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Tertullian (Paris, 1901) shows that he has a special compentency in the materials belonging to the second century. He disclaims any intention of addressing *les savants*, having in mind a general public of lay readers, who in France, he notes, are accustomed to preaching and polemic on the subject of Christianity but are profoundly ignorant of its true history as scholars have constructed it. It is indeed a vast army of readers and not confined to France who need to be initiated into an historical view of the development of the Church and it would be difficult to find a better book than this for their assistance. The author must have a warm sympathy for religious conceptions since he is capable of such luminous and interesting exposition, but his scientific impartiality and his unprejudiced use of both Catholic and Protestant scholarship make it impossible to detect his ecclesiastical predilection. It is true that this historical statement is inconsistent with all older dogmatic views, but historical science has conquered a place in Catholic as well as in liberal Protestant circles and M. Guignebert will be read with interest by both classes of readers. With impartiality the author has competency. The *savants* who are not primarily addressed will value this exhibition of a careful and critical judgment and especially the luminous construction of facts into an intelligible and interesting unity. The author disclaims erudition and originality, but his discriminating and critical use of the sources and of the best modern investigations together with his own independent and judicious construction are an adequate erudition and a desirable originality.

Admiration of M. Guignebert's ability does not involve a complete assent. Apparently he thinks that Renan was original in suggesting Cerinthus as the author of the Fourth Gospel, though the Alogi of the second century made that affirmation. It is incautious to date the Epistle of James in the last third of the first century, and while the Didache and the Epistle of Barnabas derive the material of The Two Ways from a common source, who will agree with Guignebert in finding the common source in the Synoptic Gospels! It is rash to date the Old Roman Symbol from the end of the first century and the possibly unintentional and hasty expression will mislead some readers into thinking that the legend of apostolic authorship was as early. The author's reflections on the dogmatic possibilities of the symbol outrun the limits of the period of which he writes.

Apart from such details the book illustrates admirably the net result of modern critical scholarship without capricious and individual views and at the same time is the expression of a mind which has thoroughly and independently conceived the whole matter. The exposition of Paul's conceptions is a masterpiece of compression without inadequacy or obscurity and with full indication of secure critical penetration. What a note of competency in the remark that "l'idée du πνεῦμα chez Paul n'est pas des plus claires!" Equally satisfactory is the account of the moral and religious conditions of the Graeco-Roman world in which Chris-

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tianity spread. Many a liberal Protestant historian betrays a pessimistic judgment of the blending of Greek thought with the Palestinian movement, but M. Guignebert's undogmatic mind notes with approval the gain thereby of an extraordinary power of adaptability and universality, while he also reflects with approval on the limits set to this process as a safeguard against the limitless and dispersive speculation inherent in Hellenism. A good illustration of sound judgment is afforded by the discussion of the Christianity of Domitian's victims, Flavius Clemens, Domitilla, Acilius Glabrio. In Guignebert's view they were Jewish proselytes inclined toward the Christian church but remaining at its border, while their descendants entered fully into the Christian faith. Such a judgment comports with the data of Dion Cassius and Suetonius and with the facts of archaeology.

FRANCIS A. CHRISTIE.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Geschichte von Venedig. Von HEINRICH KRETSCHMAYR. Erster Band (bis zum Tode Enrico Dandolos). (Gotha: F. A. Perthes. 1905. Pp. xvii, 522.)

HEEREN and Ukert's *Geschichte der Europäischen Staaten*, begun almost a century ago and continued latterly under the vigorous guidance of Professor Karl Lamprecht as *Allgemeine Staatengeschichte*, experiences an increase with the present volume which falls in no respect below the high level of the series. Dr. Kretschmayr brings an admirable combination of scholarly training and intellectual vigor to the service of his undertaking. He writes from the sources, treating them with carefully balanced reserve and daring; with all due respect for the hoary traditions of a famous city he is not blinded to their habitual misrepresentation of historical facts; and he studies Venice not merely as a government but as a people, mounting step by step from the primitive conditions of a sparsely disseminated group of fishermen to the material splendor and moral energy of one of the most fascinating civilizations of all time. Only the generous scale of the book, permitting a very ample treatment of every phase of Venetian development, can prevent this work from replacing every previous history of the Republic in the library of the general reader; on the shelves of the student it will take immediately a pre-eminent position. It is apparent throughout that the author has been filled with the desire not to sacrifice the fair bride of the Adriatic to the Moloch of dry scholarship: he has given his page a more literary look by relentlessly confining the foot-notes within the limbo of an appendix; and he never relaxes his effort to interest as well as to instruct his readers, and to keep unimpaired before their eyes the image of the whole unobscured by a too luxuriant detail. Nevertheless when we ask ourselves if the vast mass of raw material in this book has been leavened to the lightness of a genuinely artistic product, we are obliged to give at best a qualified

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assent. So difficult a thing it is to mate the passion for facts with the artistic temper.

We get an immediate taste of the thoroughness and originality of the author's scholarship on taking up his treatment of the difficult question of Venetian origins. In this particular investigation he found himself confronted with a body of tradition, arbitrarily invented by the early chroniclers and elaborated with patriotic intent by the official historiographers of the Renaissance. Fortunately the minute analysis to which the Venetian chronicles have recently been subjected by Simonsfeld and Monticolo and the illuminating labors of Hegel, Hartmann, and others on the period of the Germanic settlements in Italy have cleared the way for a new presentation. This we get in an admirably secure and connected narrative of the beginnings of government and civilization within the lagoons. The author's general tendency is to restrict considerably the scope of the boasted Venetian independence, and to reduce the growth of the city to the ordinary terms of Italian life in the Lombard and Carolingian epochs. Venice becomes in consequence a very small and insignificant settlement, subject to the Emperor of the East long after the fabled election by popular acclaim of an independent duke in 697, and saved from the Emperor of the West only by the ever precarious position of that potentate. If the city loses some of the veneer of a republican dignity of immemorial antiquity it gains much more than it surrenders by taking a credible place in the organic development of the peninsula.

Students of the Italian communes will be particularly interested in the development of the doge and in the beginnings of those institutions which, during the general instability of political affairs in the period of the Renaissance, aroused the envy of all the wayward neighbors of the Republic. In this field, too, the author is inclined to make considerable subtraction from the vaunted democracy which, according to the current account, was the birth-right of the free folk of the lagoons. The dogate has two periods: until the twelfth century it is an absolutism, tempered, in the manner of absolutisms, by assassination; beginning approximately with 1172, it is converted into a constitutional monarchy. In the matter of this conversion the author maintains a very interesting point of view. The traditional presentation of the reduction of the doge's power predicates a revolution covering the period 1172–1179, during which a league of the great families took the helm and created a series of checks upon the doge by setting up all those institutions—the great council, the small council, the *quaranta*, etc., by which the government acquired its definitive form. Following the conclusions of Lenel the author scouts the opinion that the oligarchical régime received its final shape in a sudden upheaval of the twelfth century, and makes out a very plausible case for the gradual development of the Venetian constitution along the general lines of the neighboring communes of northern Italy. Here again Venice loses something of that uniqueness

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which has always made it a kind of *lusus naturae* of the Middle Age, but does not become a less attractive product of civic energy by being assimilated to the general laws of medieval growth. Since volume I. does not go beyond the death of Enrico Dandolo (died 1205) we have yet to await the author's development of the victory of the oligarchy. It will be particularly interesting, in view of the submitted analogy of the Lombard cities, to see how he explains the absence in Venice of that reaction against the great families which converted the cities of Lombardy into despotisms.

But, as has already been said, the work is no mere constitutional study. It takes into account all the forces which played a part in the development of Venetian civilization, furnishing novel and reliable information on the relation of church and state, commerce and industry, shipbuilding, and the fine arts. Is the student interested in the long and confusing struggle of the patriachs of Grado and Aquileia? He will find here a swift and authoritative review of their remarkable rivalry. The economic expansion by which Venice was enabled to enter the capitalistic stage ahead of almost all other medieval states, and thus to reduce a considerable portion of the Mediterranean world to dependence on herself, receives wise and thorough attention. The foundation the author lays in this respect makes it possible, too, to show how it was largely the pressure of capitalistic forces which drew Venice into the Fourth Crusade and raised Dandolo to the proud height of conqueror of Constantinople. He denies, however, that the capitalistic agents acted consciously from the first, and upholds the much combated view that the turning aside of the crusade to Greece was in the nature of an accident. As the fine arts are treated with the same understanding as the economic and political problems of the city, the student of this field will be delighted with a very careful and valuable disquisition on Venice as the battle-ground of Lombard (or Italian) and Byzantine influences.

Much remains calling for attention in this great store-house of fact. Suffice it to say that Appendix I. contains a masterly discussion of the sources of the period, and to add, not without regret, that, as in the case of so many German books, the paper is poor and the binding atrocious.

FERDINAND SCHWILL.

Venice. Its Individual Growth from the Earliest Beginnings to the Fall of the Republic. By POMPEO MOLMENTI. Translated by HORATIO F. BROWN. Two volumes. Part I., *The Middle Ages.* (Chicago: A. C. McClurg and Co.; London: John Murray. 1906. Pp. ix, 223; viii, 237.)

THE title of this book wrongs both the author and his readers by conveying an inadequate conception of the contents. Why the author should have hesitated to send out his work under some name clearly

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indicating that we have here a study of the private life of the Venetians is incomprehensible, unless it be that he felt obliged to make formal acknowledgment of his very occasional treatment of public affairs. That it is desirable in a book devoted to the private life of a people to present a parallel sketch of the development of the state, goes without saying, but the subsidiary feature ought not to enjoy the place of honor on the title-page, and further, once incorporated with the text, should be treated with understanding and respect. What is Mr. Molmenti's procedure in this regard? He has seen fit to give to the constitution of Venice one chapter (chapter III.), which in matter and manner does not rise above the ordinary school-book presentation, and which in the single point, the question of Venetian independence, where it undertakes to penetrate to the sources, remains hopelessly entangled in the time-honored and discredited traditions. All that he says of *tribuni, dux* and *magister militum* shows that he has profited nothing from Hegel, whom, nevertheless, he cites in his foot-notes. From these same foot-notes we gather that he is acquainted with the scant sources—mostly relatively late chronicles—of the beginnings of Venice, but owing to his inability to subject these sources to a critical analysis, and, further, because of his failure to take advantage of the scholarly reconstruction of others, his exposition never gets fairly out of the realm of fable. In this connection it is enough to say that he has an unshaken, rock-like faith in the sovereign doge elected by popular action in 697. The faulty historical method and infirm grasp exhibited by the author in dealing with the constitutional problem do not dispose the reader to approach the main theme of the book, the private life of the Venetians, with great confidence.

And unfortunately the augury is borne out by the event. Mr. Molmenti is certainly a learned man in the limited sense of the word, that is, he is a collector pure and simple, whose primitive notion of a book is a succession of scrap-heaps, labelled chapters, which his readers are set to pick over for bright and valuable matter appearing here and there like raisins in a cake. If we hold the old-fashioned view that the work of organization and artistic shaping of the raw material of scholarship should not be left to the reader, but ought to be done by the author himself, we are not likely to be greatly edified by this production. Take for illustration chapters I. and II. Here we have an abundance of valuable notes on the physical growth of the city, but the vast accumulations of detail fail utterly to fit themselves into a picture which does justice to the noble creation of refugees of the lagoons and with which the reader will feel rewarded for his pains. The chapter on the laws is of the same loosely woven texture; that in the Venetian statutes are to be found elements of Roman, Greek, and Germanic origin the author has not failed to perceive, but whoever looks for a clear and incisive statement of the evolution of Venetian justice will be disappointed. Even the section on maritime law, a field where the special

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conditions of the sea-city invite an original and sparkling treatment, suffers from the mental monotony which spreads its shadow over the rest of the book. Looseness of thought usually breeds carelessness of speech. In the chapter on art (chapter XII.) no distinction is made between Roman and Romanesque, and the term Gothic is treated like a conversational stop-gap of no definite intellectual value. In this chapter, too, Mr. Molmenti yields with more than usual frequency to his preference for long lists of names about as interesting as a page of the city directory (pp. 107, 114), but it is a pleasure to report that his story of the construction of the ducal palace and the Ca' d'Oro has intrinsic if not literary worth.

Many passages could be enumerated which furnish proof of knowledge and of patient research: such are the notes on Venice as seen by rivals and contemporaries (pp. 88–92), the description of Venetian costume (chapter IX.), and the history of letters, with regard to which the author attempts to palliate the meagre results attained by the republic (chapter XIII.); but this and much besides does not suffice to rescue the work from its besetting sins of heaviness, disorder, and lack of significance. Why this bootless discussion as to whether the rich or the poor fled to the lagoons (p. 16) when we have practically no certain information of any kind about the early settlements? What are we to think in a book dealing with facts, of the many vapid deductions of which the following may serve as an example: "It is clear that an agglomeration of people . . . could not have held together during the preceding centuries . . . unless they had had to guide them a code that was both fixed and written" (p. 98). This to American and English readers acquainted with states which have held together for centuries in spite of the deplorable lack of a code "both fixed and written"! Of course it is only the matter for which Mr. Molmenti is personally responsible; conceivably in its original tongue the book is not the dreary waste it proves to be in the translation. In Mr. Horatio F. Brown of the title page it is hard to recognize the accomplished author of an earlier history of the Republic of St. Mark. Certainly in his original works he has not permitted himself to indulge in the mixed metaphors and loose periods which are found on almost every page of the translation. The chapter conclusions (*e. g.*, vol. II., p. 175) culminate in flights of rhetoric truly Icarian in their daring as well as in their issue. We hope that the four additional volumes which the publisher announces will show a desire to remedy some of the shortcomings of the present installment.

FERDINAND SCHWILL.

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The Dawn of Modern Geography. Volume III. *A History of Exploration and Geographical Science from the Middle of the Thirteenth Century to the Early Years of the Fifteenth Century (c. A.D. 1206–1420).* By C. RAYMOND BEAZLEY, M.A., F.R.G.S. (Oxford: The Clarendon Press. 1906. Pp. xvi, 638.)

IN this third volume Mr. Beazley brings to a conclusion his consideration of the "Dawn of Modern Geography". The period under review in this truly excellent work is a long one, and the better title for it seems to be his second one, in which he speaks of the subject matter treated as a "History of Mediaeval Exploration and Geographical Science". This has the advantage of clearness, and this has been his theme.

In the first volume the author presented an account of geographical movement in Christendom between the years 300 and 900 A. D., calling attention in particular to the early pilgrim travellers and to their share in the work of exploration, to the missionary and commercial enterprises of those centuries and to the geographical theorists, who as a rule were theologians. In his second volume the period covered is from the ninth to the middle of the thirteenth century, a period marked in particular by the movements of the Northmen and the Crusaders. The part taken in the expansion of geographical knowledge by the pilgrim, the commercial, and the missionary travellers received detailed consideration, as did geographical theory and description such as those centuries afforded. In the third volume he carries us to the opening of the fifteenth century. Quite appropriately he refers to the volume "as an attempt to open up comparatively fresh fields of historical and geographical inquiry". The same general plan is followed throughout the series.

The crusading movement had failed of its purpose, but travellers continued in this new period to journey to the East, penetrating to central Asia and beyond. To gain strength for a pious life, as the author shows, did not now so frequently impel as did an eagerness for commercial profit. During this third period interest does not alone centre in overland exploration. In one of his best chapters the beginnings of maritime enterprises are discussed.

The volume opens with a somewhat lengthy chapter on the great Asiatic travellers, chief among whom was Marco Polo. In near one hundred and fifty pages we have as good and as readable a résumé of Marco Polo's book as may be found. If no particularly original contribution is offered in this part of the work there is at least set forth in a clear manner the significance of that great land-journey, perhaps the most important ever made in far-reaching influence.

Those who may be counted as among the most significant of the followers of the Polos were the friars who undertook to plant Latin missions in the far east, among whom John of Monte Corvino stands as a pioneer. But in this religious intercourse the author notes that there

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was a surprising facility and abundance of commercial and diplomatic reciprocity. With the marvellous riches of the East disclosed to the West trade was not slow in entering the field. In the extended consideration of missions and mission travel, in which are discussed the life, writings, and journeys of such men as Odoric of Pordenone and Marignolli of Florence it is shown how the way was opening for commercial enterprise.

In a third part of the chapter on The Great Asiatic Travellers, we are told of the later explorations of commerce, diplomacy and adventure. The Crusaders' Manual of Marino Sanuto the Venetian is assigned a place of importance not so much because of the purpose for which it was written—to revive the crusading spirit—but rather because of the attempt made by Sanuto to show how Christians could get the Oriental products without recourse to the land of the Cairo sultan, because of the sketch he gives of the great trade-routes which passed through Egypt and Persia, and because his outlook was wide, "almost prophetic".

The Book of Sir John de Mandeville of course could not be passed over; it receives a true rating as in very large part a compilation. The author has undertaken in a foot-note, p. 322 *seq.* to point out "the sources for each section of this marvellous imposture".

In Pegelotti's *Book of Descriptions of Countries* . . . we have something more substantial and meritorious; the book undertakes to point out "what relations the merchandise of one land or one city bears to that of others; and how one kind of goods is better than another, and whence come the various wares".

Out of the many accounts which have come down to us from this time indicating how geographical knowledge was gradually expanding Mr. Beazley has selected well, and has throughout analyzed well the significance of each. He has shown clearly how the barriers in the overland connections between the East and the West were broken through and then how in time the European found it increasingly difficult to penetrate Asia, until at last, as he is shut out from overland communication, a "flank movement" is attempted around Africa. Here follows, as I have said, one of the most interesting and most important chapters, treating of Maritime Explorations. This is particularly the author's period as he has shown in other publications, and we venture to express the hope that we are yet to have the published results of his continued studies in this field.

How failure in overland exploration led to maritime exploration is carefully traced, at least as carefully as space will allow. In the often repeated story of Prince Henry the Navigator and his enterprises we have almost forgotten, if we ever knew, how great was the part taken by the Italian sailors in the earliest maritime adventures down the coast of Africa. We can get on more rapidly in our understanding of this pre-Columbian period of maritime exploration if we will but discard the great majority of the monastic and Moslem tales of a fiery zone and

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impenetrable seas. What Italian seaman would have been terrified by such tales! His difficulties were those that beset practical seamanship, and in time they were overcome. How well these seamen could chart the coast of the Mediterranean and beyond, to north and south, even in the earliest years of the fourteenth century, is remarkable in the extreme. There is scarcely a connecting link between the medieval monastic map of the world and the splendidly drawn portolan chart of the Catalan or Italian seaman. We pass almost abruptly from fantastic picture-maps to the semi-scientifically constructed chart.

Mr. Beazley has reproduced some of these early portolanos or port charts and has called attention to their importance. It is a pity that his reproductions are not better done, but they serve to illustrate the text and will doubtless contribute their part in awakening an interest in the study of early charts or maps. The maps of the period have yet to be more carefully studied if we would know the full value of the geographical and historical records they contain. The volume concludes with a chapter on Geographical Theory, or the Geography of the Schoolmen, a chapter on the Later Moslem and other Non-Christian geography, and a valuable appendix in which the leading manuscripts of the principal texts of volumes II. and III. are listed as are also the leading editions of the principal printed texts.

Mr. Beazley's work is most timely. It is without doubt the best that has yet appeared on the subject. It is not only a work belonging to geographical literature, it has an important place in historical literature. Such a work serves well to impress the importance of Historical Geography, an importance which receives commendable recognition in the European countries, but which we in America are slow to appreciate.

E. L. Stevenson.

The Censorship of the Church of Rome and Its Influence upon the Production and Distribution of Literature. Volume I. By George Haven Putnam, Litt. D. (New York and London: G. P. Putnam's Sons. 1906. Pp. xxv, 375.)

There has been a long-felt need for an English book on the subject suggested by the title of the work before us. A brief summary of the first volume, which carries the narrative down to the beginning of the nineteenth century, will best set forth the scope and plan of the work, which is professedly largely based upon a few authorities. The book begins with an introductory chapter followed by a slight sketch of the censorship of books in the early church, and in the Middle Ages. Then comes an account of the book regulations in various European countries, and of the papal censorship, from the invention of printing down to the publication of the first Indexes. The sixth chapter deals with the Roman Inquisition and the establishment of the Congregation of the Index; and then the rest of the book is taken up with analyses of the

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Indexes, issued in different parts of Europe, with chapters on the Council of Trent and the Index of Pius IV.; the condemnation of Galileo; Erasmus and Luther in the Index; and the Jansenist Controversy and the Bull Unigenitus.

A distrust in the reliability of the book begins with the preface, where Mr. Putnam makes several mistakes in referring to his chief authority. He states that Reusch's *Der Index der verbotenen Bücher* is in three volumes "which comprise 2400 closely printed octavo pages" (p. vii), when in fact it is in two volumes and contains only 1800 pages. To be sure Reusch did publish a collection of Indexes as a separate work in 1886, and it is included in the bibliography, and although quite accessible was probably one of those from which Mr. Putnam "did not have occasion or opportunity to make citations" (p. ix).

In basing his work upon Reusch's book, Mr. Putnam has made use of his references without verifying them, and sometimes with strange results. To cite a few typical examples of his method of book-making. On p. 61 he cites on the Decretum Gelasianum the incomprehensible "*Conc. Gesch.*, ii, 217"; in Reusch (I. 13) there is a reference to "Hefele, *Conc. Gesch.*, II. 217". In Putnam's bibliography the only edition of Hefele mentioned is the English translation in three volumes, yet on p. 65 we find "Hefele, iv, 712", and on p. 66 "Hefele, v, 833". Again, p. 196, there is a reference to *Archiv für Deutsch.* [*sic*] *Buchh.*, v, 147, which is cited by Reusch (I. 346) as authority for another statement, although on this same page Mr. Putnam has successfully conveyed three other references from one page of Reusch. In the account of the censorship regulations in Bavaria, Putnam (p. 220) cites a document in the "*Staats Archiv Münchens*"; Reusch (I. 472) cites the same document correctly as "*In Münchener Staatsarchiv*".

In the same way a careless and unintelligent use is made of Mendham's authorities. In his *Literary Policy of the Church of Rome*, Mendham (p. 19) gives a list of condemned books, taken from the first edition of Fox's *Acts and Monuments*, which he notes is not to be found in subsequent editions, or in Wilkins's *Concilia*, where it should be found; Putnam (p. 89) copies the list and comment from Mendham, and cites as his authority "Wilkins, *Concil.*, Fox, iii, 403". One must doubt whether Mr. Putnam ever saw Mendham's "reprint of the Index of Gregory XXI." (p. 159), any more than he saw the work to which Reusch does refer, which is not a reprint but a study of the Index of Gregory XVI. But then, by abbreviating the title of one book, Mr. Putnam creates a second (pp. 148, 151); and a copy of the Roman Index of 1682, in the Royal Library at Munich (Reusch, II. 34 n.) becomes an edition printed at Munich in 1683 (p. 324). On p. 176 Mr. Putnam gives a translation from a letter of Latinus Latinius, citing Mendham as his authority. Now only half of the Latin original of Putnam's text is to be found in Mendham (p. 52); Reusch cites Mendham; but Putnam's citation is only a translation from Reusch's rendering (I. 295) of a more extended extract of the letter.

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At times errors are due to gross mistranslations. In the account of the censorship in Bavaria, Reusch (I. 466) notes that in 1565 it was "verordnet dass fortan nur theologische Schriften, die in katholischen Städten gedruckt seien, verkauft werden dürften". Mr. Putnam finds in this statement authority for writing that an edict was issued "forbidding the sale of theological works in any but Catholic towns" (p. 217). Again Reusch (*ib.*) states that in "1566 wurde ein ausführlicher Catalogus der Bücher, die in Baiern öffentlich verkauft werden dürften, also das Gegentheil eines Index librorum Prohibitorum veröffentlicht", while Mr. Putnam tells us that the Ducal Commission of Censorship "issues an *Index librorum prohibitorum*, and also a general catalogue of books which it is permitted to sell and to read within the duchy" (*ib.*). Translations from the French are equally faulty. A passage from Dejob (*L'Influence du Concile de Trente sur la Littérature*, p. 77) "ils semblent moins en vouloir à ces livres qu'a ceux qui les étudient; si donc on ne prend pas les devants, c'en est fait des travaux de plusieurs saints . . . et, perte lamentable, de tous les commentaires des Juifs", is rendered "The people whose judgment should count concerning books are of course those who through study have knowledge of their character. These compilers have not hesitated to condemn the works of many saints and (a loss much to be lamented) all the commentaries of the Jews" (p. 210).

Mr. Putnam interprets his English authorities when he does not copy them, and he can not even follow his own narrative, as one example will show. We are informed on p. 23 that "A 'Directory' of heresy was prepared early in the sixteenth century by Nicholas Eymeric of Cologne"; on p. 69 that Gregory XI. in 1378, as a result of a denunciation by the inquisitor Nicholas Eymeric, condemned two hundred propositions . . . of Raymond Lully"; on p. 85 that "About 1520 Nicholas Eymeric brought into print in Venice, under the title of *Directorium Inquisitorium*", etc.; and on p. 121 that "The chief original authority for the system of the earlier Inquisition is the *Directorium Inquisitorium* of Nicholas Eymeric, who was Inquisitor-General for Castile in 1316". A fly-leaf notes some thirty errata; twenty solid pages would not suffice to point out the mere misprints, when one finds an average of eight in the titles of certain of the Indexes (*cf., e. g.*, 148, 152). Mr. Putnam expects that his work "will be used chiefly for purposes of reference" (p. xi), but who can commend in any way, especially to a general reader, looking for information on a specific point, a book which contains numerous errors on almost every page?

GEORGE L. HAMILTON.

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A History of the Reformation. By THOMAS M. LINDSAY, Principal, The United Free Church College, Glasgow. Volume I. *The Reformation in Germany from its Beginning to the Religious Peace of Augsburg.* Volume II. *The Reformation in Switzerland, France, the Netherlands, Scotland, and England. The Anabaptist and Socinian Movements. The Counter-Reformation.* With Map of the Reformation and Counter-Reformation (1520–1580). [International Theological Library.] (New York: Charles Scribner's Sons. 1906, 1907. Pp. xvi, 528; xvii, 631.)

DR. LINDSAY'S work marks a salutary reaction in interpreting the Protestant Revolt. While intent on doing full justice to the political and social factors on which Ranke, Janssen, and Bezold have dwelt, the author emphasizes primarily the spiritual aspects of the grand upheaval. It is his thesis that the "Reformation had its roots in the simple evangelical piety which had never entirely disappeared in the medieval Church". Consequently he lays great stress on the "popular and family religious life in the decades before the great revival", and tries to show the "continuity in the religious life of the period" (volume I., preface).

In collecting material Dr. Lindsay has "read and reread most of the original contemporary sources of information". This applies to printed documents, for he seldom if ever cites unpublished sources. He has diverged from the beaten theological track in making much use of poetry, especially of folk-songs. Chronicles he has drawn on to a very limited degree; his use of correspondence and of the Calendars of State Papers is more copious; and in certain chapters, notably in that dealing with "The Church of Henry VIII." he has constructed elaborate if somewhat conventional mosaics. Superfluous material rarely blocks the stream of narrative; the movement is swift, and the current leaps at times from one generalization to another. Though the product of many years of study, the book, it is said, was rapidly written, and its lucidity and swinging style bear out the assertion. It is nothing if not concrete; often so picturesque that one regrets that the plan of the *International Theological Library* excluded the illustrations which would naturally have rounded out a narrative so vigorous.

It is not surprising that the treatise shows the defect of its virtues: there are a number of points, more or less trivial, where a slower pace would have meant a surer footing. To begin with obvious misprints, we suggest the following corrections: *Emerton* (I. 158, note 1); *Euricius Cordus* (I. 255, 517); *Lazarus Spengler* (I. 256, 526); *Bremensis* (II. 3); *Maurenbrecher, Friedensburg* (II. 484, note 1); and Luther's cry, often given as: "O wann wirst du einmal fromm werden und genug tun, dass du einen gnädigen Gott kriegest?" has certainly been tampered with by the printer's devil (I. 427). As for dates:

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Thomas de Vio, Cardinal Caietan, lived 1469–1534, not 1470–1553 (I. 232); and the Marburg Colloquy of 1529 is set a month too late (I. 353), as Luther arrived September 30 and departed October 5. The First Helvetic Confession of 1536 is attributed to Zwingli (I. 467, note 1), whereas he died in 1531. The Racovian Catechism appeared long before 1642 (*cf.* II. 473), as it was printed in Polish in 1605 and in Latin in 1609. We must, further, challenge the explanation of "gehobelter Eck" as "Eck with the swelled head" (I. 249), suggesting that it is merely "*Eccius Dedolatus*", in slang phrase, the rough corner (Eck) "polished off". Sundry statements of fact also need revision. By "Cardinal Bonzio" (I. 2) is meant Bonizo, who is listed as a simple bishop. Gabriel Biel, during the years that he was a "celebrated professor" (I. 196) taught not at Erfurt but at Tübingen. The tradition that the Marburg Colloquy took place in the Rittersaal (*cf.* I. 353) is erroneous; it was held in a smaller room, probably near the present office of the Director of the Royal Archives. Cop's Address is unquestioningly attributed to Calvin (II. 98), without mentioning the very serious doubts on this point entertained by many scholars. The remark that excommunication freed Luther from his monastic vows (I. 250) is, to say the least, loosely put. Likewise the assertion that the doctrine of ubiquity is "essential to the Lutheran theory of the Sacrament of the Supper" (II. 4) is open to misconstruction, for it ignores the view taught by Chemnitz and known as *multivolipraesentia*. The statement concerning the attitude of Clement VII. toward bigamy (II. 324 f.) also demands revision. It is perhaps carping to suggest titles that should have been included in the compressed bibliographies which head the various chapters; but certainly the usefulness of the book to students is lessened by the omission of S. M. Jackson's *Selected Works of Zwingli* (New York, 1901), and that excellent aid toward understanding the Council of Trent, the *Symbolik* of Loofs (Bd. I., Leipzig, 1902). The monumental work of P. Fredericq, *Corpus Documentorum Inquisitionis Haereticae Pravitatis Neerlandicae* (The Hague, 1889–1906) surely deserved a niche alongside the venerable Gerard Brandt (*History of the Reformation*, London, 1720), from whom the author draws some stirring anecdotes. Finally, the colored map contained in a pocket in the second volume, valuable as it is for giving an idea of the regions touched by the Anabaptist agitation, generalizes the sixty years' spread of the Reformation (1520–1580) in puzzling, almost misleading fashion.

Turning from detail to weightier matters, we notice that the writer's unusual gift of sympathetic interpretation has its natural barriers. Although no hero-worshipper, he glows instinctively for Calvin, the Huguenots, the dyke-cutting Dutch, above all for William the Silent: in other words for the spiritual congeners of Scotch Presbyterianism. Zwingli he rather disparages, particularly in the matter of his secret marriage (II. 37), whereas a study of the precise stage reached in 1522

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by the movement for the marriage of the clergy might have led to a more charitable judgment. His antipathies, which he has usually overcome, are directed chiefly against the persecutors of the Protestants. In estimating the Jesuits he is evidently influenced by Symonds. Though not altogether unsympathetic, the fact that he can assert that the *Spiritual Exercises* of Loyola produced a "prolonged hypnotic trance" (II. 545) sufficiently indicates his attitude.

We have dwelt too long on the defects of an excellent book; many of them are superficial and can be easily remedied. The total impression left by the two volumes of Principal Lindsay is very favorable; they are the best thing we have in English on the subject. They combine scientific worth with literary charm, and will appeal strongly not merely to students but also to the thoughtful layman.

WILLIAM WALKER ROCKWELL.

The Reformation. Being an Outline of the History of the Church from A. D. 1503 to A. D. 1648. By JAMES POUNDER WHITNEY, B.D., Chaplain of S. Edward's, Cambridge. (New York: The Macmillan Company. 1907. Pp. viii, 501.)

WHITNEY'S *The Reformation* constitutes volume VI. of a series entitled *The Church Universal*, of which Mr. W. H. Hutton is editor. By "Church Universal" is not meant Christianity in general or the invisible church, but the Eastern and Western hierarchical ("Catholic") ecclesiastical organizations, the Anglican Church being somewhat illogically regarded as a constituent part of the latter because of the perpetuation in its hierarchy and its formularies of the essential elements of the medieval system. The Anglo-Catholicism of the writer is manifest in the apportionment of his space and on almost every page. His effort "to be fair to all schools of thought and to all the men of the time" has, in the opinion of the reviewer, met with indifferent success. An introduction of fourteen pages touches lightly upon medieval ideals, the papacy, the political and ecclesiastical relations of Italy and Germany, the growth of individualism, monastic revivals, mysticism, the revival of learning, the Brethren of the Common Life, and the Inquisition. There seems little ground for the assertion that Dominic, Thomas Aquinas, and Wiclif (the precise expression is used only of the latter) were the almost impersonal heads of movements, whereas Loyola, Erasmus, and Luther are "personalities above all else" (p. 6). The statement that "no less than fourteen translations of the Bible into High German appeared before the days of Luther" would probably be about correct if "translations" were changed to "printed editions". Of course that number of manuscripts with considerable variations may exist; but it is not likely that so large a number of versions was independently prepared. The author speaks of "Revival of Learning" as "a phrase often used to imply more ignorance on the part of the Middle Ages than they possessed" [*sic*]. To note a tithe of the author's in-

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felicities and inconsequentialities would require more space than is available for the entire review. Only forty pages can be spared by him for Germany and the Reformation up to 1529 and sixteen pages to Germany after 1529, and of these Luther gets barely five or six with an occasional sentence *passim*. Even in these two chapters popes, humanists, and Catholic opponents of Luther are much in evidence. Mr. Whitney does not know Luther. He supposes that Luther attributed the *Deutsche Theologie* to Tauler (p. 28). He speaks of Luther as "typically scholastic" and as having "never departed from the standpoint of his master Staupitz". As a matter of fact he was antipodal to scholasticism, as was Staupitz, and he did depart from Staupitz as widely as can well be conceived. He declares that Luther was "absolutely free from any scruples as to breach of unity", which is very far from the fact.

Zwingli and the Swiss Reformation fare no better as regards space; but the author's characterization of Zwingli and his teaching is somewhat juster than in the case of Luther. He declares Zwingli's "free and intellectual study of the Scriptures interpreted by the individual powers and for the individual needs" to be "Humanism pure and simple, unfettered or unchecked, as with Erasmus, by regard for religious authority and the unity of the Church". He further characterizes Zwingli as "the revolutionary theologian of the Reformation", a designation which would be more suitable to Luther and still more so to some others. It is in the chapter on the Reformation in Switzerland, strangely enough, that the Diet of Augsburg and the Augsburg Confession are treated. Here Mr. Whitney makes the amazing blunder of supposing that the Confession presented by the Lutherans had "Apology" for its original title. Of course the Apology was Melanchthon's defense of the Confession against the Refutation put forth by the Roman Catholic theologians. The author's statement (p. 377) that Zwingli derived his sacramental views from Van Hoen, a Dutch theologian, is not quite correct. It was to Erasmus that he owed his mode of thought which determined his attitude toward the sacraments, and the influence of Carlstadt, who seems to have owed something to Van Hoen, probably had to do with the formulation of his views. While he insists that "the influence of Calvin cannot be estimated too highly" and gives a fairly satisfactory account of his theological and theocratic views, he cannot forbear to speak of his genius as "sinister". Knox is dismissed with a few short, disconnected sentences (pp. 348, 354, 364), which involve no adequate appreciation of his character or work.

Chapters VII.–IX. (141 pages) are devoted to the Council of Trent. Here we at once become aware that the author is treading on firmer ground. He no longer deals in vague generalities or manifests the "possession" on his part of vast supplies of ignorance and misinformation, but he shows interest in the minutest details and the possession of a creditable amount of authentic knowledge. These chapters constitute

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the only really valuable part of the work and justify its publication. No other history of the Reformation has treated the subject so fully. The chapter on "Germany: 1555–1648" is also far better than those on the Reformation proper, as are also those dealing with what we call the Counter-Reformation, including the work of the Jesuits in various lands. His account of the English Reformation is of course strongly colored with Anglo-Catholicism, but is not without merit. The author's concluding note on "Justification by Faith" is not particularly illuminating. A somewhat poor bibliography and a good index are other features of the work.

ALBERT HENRY NEWMAN.

The English Patents of Monopoly. By WILLIAM HYDE PRICE. [Harvard Economic Studies, Volume I.] (Boston: Houghton, Mifflin and Company. 1906. Pp. x, 261.)

THIS is really a twofold work. On its economic side it has to do with a certain class of monopolies during the reign of Elizabeth, James I., and Charles I. These are patents, nearly in the modern sense, temporary monopolies granted to claimants of special processes of manufacture, mining, or other industrial processes. Mr. Price is interested in the rise of these patents of monopoly and in the experiences of the patentees, the crown, and the community under them, during this early and experimental period. In his interesting "Part II., Industrial History", he tells the story of some eight of these monopolized trades, with their most unsatisfactory results for their holders, for would-be participants, for the crown, and for the community. Among the appendices also six of these patents are printed *in extenso*. So far the monograph is a comparatively simple study, the result of which, as pointed out with perhaps unnecessary asseveration by the author, is to show the undesirability of monopolies granted and protected by the government under the conditions of the period he is describing.

But combined with this is a more complicated and more ambitious study, performed with less success. This is a discussion of the whole subject of government monopolies during the period adverted to. Sometimes Mr. Price is treating his narrower subject, sometimes his broader one; and without always indicating to his readers or perhaps perceiving for himself, which he is engaged with. One of the most familiar popular complaints in the later Elizabethan and early Stuart period is of the possession by private men or partnerships of what are variously called monopolies, patents, licenses, impositions, dispensations, commissions, privileges or grants. These were for many purposes, from a grant of the export duty on rabbit skins, or the privilege of licensing brewers in London, or a copyright for the printing of the Psalms of David, to the monopoly of manufacture of glass in all England or a license to suspend the provisions of the law regulating the tanning of leather in certain cases. One of the greatest needs in the discussion

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of this subject is to discriminate clearly, if possible, and explain the contemporary use of these various terms, to classify these various forms of patents and monopolies, to discover the reasons for the grant of each respective class, and to measure the degrees of popular opposition to each. The parliamentary petitions against the monopolies, for instance, seem scarcely to have taken into consideration that class of patents which is chosen as the principal subject of this book, nor did the proclamations or laws contemplate them, except in a quite subordinate degree. The industrial monopolies, in other words, may be of especial interest to the economist, but to the historian, who takes into consideration all the phenomena of the time, they are only a small part of a much larger whole.

This somewhat perfunctory treatment of the larger question involved is our principal, in fact almost our only criticism of this serious study by a well-trained investigator of an interesting and important subject. We would, however, call attention also to a certain *a priori* method of treatment. After a very slight examination of Continental phenomena, the author suggests the probability that England was the precursor of other nations in developing industrial patents. Afterwards the suggestion is treated as an ascertained result, quite in the manner of Thorold Rogers, and he speaks without hesitation of England as the "birthplace of the system" of patents for the encouragement of new manufactures. The same tendency appears in the treatment of industrial patents as due to the deliberate policy of Queen Elizabeth and her ministers, the grants of monopolies of other kinds as simply a later and unintentional accretion. There is no sufficient authority given for this; nor can we doubt that monopolies were granted principally for financial or personal reasons, and in answer to an appeal either to the acquisitiveness, the fondness, or the good nature of the sovereign. We regret that a more restricted subject was not taken, or else that the first chapter, the "Political History" of the monopolies, was not made much longer and more serious, more discriminating and more scientifically historical. We have no doubt that the author is entirely capable of having so treated it, but was led astray by a predominatingly economic interest.

The English Factories in India, 1618–1621. A Calendar of Documents in the India Office, British Museum, and Public Record Office. By WILLIAM FOSTER. (Oxford: The Clarendon Press. 1906. Pp. xlvii, 379.)

THE printed documentary material for the early history of the East India Company has been happily increased by this volume. Already, to mention only the most important sources of comparatively recent publication, we have had the "Court Minutes of the East India Company, 1599–1603" published by Mr. Henry Stevens under the title, *The Dawn of British Trade to the East Indies*, Sir George Birdwood's *Register of Letters, 1600–1619*, the six volumes of the *Letters received*

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by the East India Company from its Servants in the East (vol. I. being edited by Mr. Danvers, the others by Mr. Foster), and chiefly for a somewhat later period Mr. Forrest's Bombay Government Papers, "Home Series", and "Mahratta Series". Other publications by Government in India and various volumes of the Hakluyt Society such as Mr. Thompson's *Diary of Richard Cocks*, and Mr. Foster's *Sir Thomas Roe* and *Journal of John Jourdain* have all been printed since Sir George Birdwood first in 1878 gave the student that invaluable *Report on the Old Records of the India Office*. These are rich additions to the earlier *Calendar of State Papers, East Indies*, for which the student has long been indebted to Mr. Sainsbury.

This last volume, edited by Mr. Foster, is a sequel to the *Letters Received*, which included the year 1617. The method followed is, however, somewhat different. Here, though some documents are given practically *in extenso*, a considerable abridgment in accordance with the fashion of the Historical Manuscripts Commission has been the rule. This has involved in part a certain repetition in less condensed form of some of the work already done by Mr. Sainsbury. But in many instances valuable notes have been added and the introduction is excellent. The documents themselves, whose particular location is indicated in each instance, are chiefly from the Original Correspondence Series, the Marine Records and the Factory Records of the Company, the East Indies series of the Record office and the Egerton MSS. 2122 and 2123 (British Museum). A few are reprinted from Purchas and a few others have already appeared in the Hakluyt Society's *Sir Thomas Roe*. With these exceptions the documents have not hitherto been published.

In 1618 the English had infrequent factories and ports of trade from Arabia to Japan. On the west coast of India Surat was not to be surpassed by Bombay for another half-century, while on the east coast Masulipatam had not as yet been deserted for either Madras or Calcutta. Among the islands further east the Company still believed its greater profits were to be found; but in 1622 the settlement in Japan was abandoned and in 1623 the bloody results at Amboyna emphasized the strength of the Dutch in the Malay Archipelago. Even on the mainland furious rivalry with the Portuguese had barely made clear the hope of future success for the English. The French and Danes had made their first appearance; and on all hands, whether from the uncertainties of native princes or the jealousies of European competitors, there was great peril. The profits of Eastern trade had, however, been made evident and the English bent to their task. International rivalry, oriental polities, the economics of Asia, and the conduct of Europeans under alien conditions can all be studied to advantage in Mr. Foster's book.

The student of American exploration and history will find much to interest him where perhaps he may scarce expect it. Here he can find further light on the character of Sir Thomas Dale, trace the later voy-

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ages of Martin Pring, his successor in command of the East Indian fleet, or learn of the work of William Baffin in the tropics. Here he can investigate the pioneer missionary work of the Rev. Patrick Copland, who was also to collect money in the East for a free school in Virginia, or get indication of the origin of the quarrel between Sir Thomas Smyth and Lord Robert Rich, which was later to lead to the election of Sir Edwin Sandys as Treasurer of the Virginia Company. Thus are made clear both the varied interests and the unity of British expansion in the early seventeenth century.

ALFRED L. P. DENNIS.

La Colonisation Hollandaise à Java: ses Antécédents, ses Caractères Distinctifs. Par PIERRE GONNAUD. (Paris: Augustin Challamel. 1905. Pp. 606.)

APPEARING in the series of Paris doctoral theses in which the early work of many of the best French scholars has been published, to which we owe important books by Seignobos, Langlois, Funck-Brentano, Masson and many others, this large volume rouses keen anticipation in the mind of anyone interested in the special field it covers. The author promises in his preface to fill a gap which he conceives to exist in the sources of our information on Java, by writing not as a naturalist nor as a historian, but as a student of colonial science, and by describing the essential features of the evolution of Java as a European colony.

He devotes the first hundred pages to a physical description of the island, covering its geology, topography, climate and natural resources. The description runs into minute and tedious detail. It is not interesting, and it adds little to what can be gained from Junghuhn and the third volume of Veth. With all its faults, however, it is the best part of the book. The author may be a good geographer; he may possibly be an adept in the mysteries of the "colonial science" of the day. He certainly is not a historian; and the bulk of his book, which is historical in form, would never have been written, or would have been written very differently, if he had been trained in the French historical school.

In the hundred pages devoted to the history of Java before the arrival of the Dutch the reader begins to lose faith. He doubts the wisdom of devoting so much space to an obscure period, far removed from the goal which the author has in view. He demands that at least this period should be treated with the object of the book in mind. He finds a mass of conjectures on unessential details, and almost entire neglect of the great problems of native society: origin of the village group and government, early forms of land tenure, possible tribal influences. Village origins are dismissed in less space than is given to the ruins of *Boeroe Boedoer*.

Doubts as to the author's capacity become certainties when the narrative enters the period of Dutch rule. Most of the facts for the period from 1600 to 1800 are taken from half a dozen collections of voyages,

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books with which a geographer would naturally be familiar, and useful sources also to the historian, but hardly the sources on which a history can be based. Let the American reader picture to himself the kind of history a foreigner would write of the British colonies in America, from Hakluyt, Kalm, Burnaby, Chastellux, etc., with an occasional reference to a modern writer, but disregarding some of the most important modern works and practically all of the colonial documents, and the weakness of this part of the book will be apparent. The standard modern history of this period, by M. L. van Deventer, is not mentioned. Lacking also is the indispensable book on the East India Company, by Klerk de Reus. Most serious of all is the neglect of the documents in De Jonge's collection. There are occasional references to this collection, but there is hardly a page of the book on which an error could not have been corrected, or an important fact supplied, if the documents had been scanned with any care.

The part dealing with the nineteenth century is no better. To enumerate the important sources which the author has failed to use would require too much space. It will be briefer, and to the wise it will be sufficient, to say that he quotes one book more than any other, and the one book is Money's *Java: or How to manage a Colony*. The result is a grotesque perversion of fact.

Concluding chapters give a description of existing conditions. Personal observations on the crops and some of the economic phenomena are of interest and value; reflections on the social and political organization are of little importance, because the author, to put it bluntly, does not know what he is talking about. He has not even a speaking acquaintance with the results of the great government investigations into native life, and because he did not know for what to look he might as well have been blindfolded much of the time. Of this as of other parts of the book it may be said that the author fails not only to collect the necessary facts from the scattered sources of information, and to sift the true from the false; he lacks, to all appearance, the general knowledge of human society which would direct his search, would enable him to appreciate the relative importance of different classes of facts, and would enable him to construct from his material a scientific statement of conditions. He talks much about native society, but if it were more than a name to him he must have devoted at least some attention to the land and labor relations on which it is based, of which, in fact, it largely consists. Of these native institutions he seems entirely ignorant. The problem of individual and communal land tenure is dismissed in a line.

We shall have many more books like this. Colonial questions have been so much in the public mind that there is an insistent demand for a colonial science, and many rise up to proclaim themselves its prophets. We shall have a real science of colonies when we apply to the study of

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colonies the same principles which guide the search after truth in other subjects, and not before then.

CLIVE DAY.

The Great Days of Versailles. By G. F. BRADBY. (London: Smith Elder and Company; New York: Charles Scribner's Sons. 1906. Pp. viii, 384.)

MR. BRADBY'S title indicates accurately the contents of his book. The great days of Versailles were in the reign of Louis XIV., and the court life of Versailles in the latter years of Louis's reign our author has described. The subject is not new, but probably it will never lose its charm. The court life of Louis XIV. is not one of the great chapters of history, but it is devoid neither of interest nor importance.

The sources from which information as to this period can be obtained are familiar, and Mr. Bradby has consulted them with care and with discrimination. The memoirs of Saint Simon will always be the most important, as it is the most interesting, record of the later days of Louis XIV., and yet, as Mr. Bradby justly says, no writer needs to be read in a more critical spirit. In addition to the many volumes indited by the Duke of Saint Simon, are the memoirs of Dangeau, the letters of Madame de Maintenon and of the Princess Palatine, and the numerous other memoirs of the period. Mr. Bradby has consulted those of most value, and he has used his material with good judgment. Occasionally some anecdote is told, some incident related, which a severely critical historian might reject, but in this there is no great harm. A collection of social gossip, a history of court life, of pageantry and parade, does not require, perhaps, to be investigated in so rigid a spirit of criticism, as if different and more important fields of historical research were under examination.

In his book Mr. Bradby has told us much of the solemn splendor, of the minute ceremonial, which to those of this generation would seem so tedious, by which the existence of the great king was surrounded. He has described very fairly the character of the sovereign, who in many ways was an unusual man. Mr. Bradby does not exaggerate the foibles and frailties, the dullness and the limitations of the king, nor does he underestimate the elements of unusual strength that were found in that unusual combination. As he justly says, the character of Louis XIV. was "full of contradictions, beset with unexpected shallows and equally unexpected depths".

Apart from a description of the life of the court, of the splendors of Versailles, and its social etiquette, there is a detailed account of a few who were its most prominent figures. Some of them were wholly unprofitable and uninteresting, like Monsieur, Monseigneur, and the Duke of Berry. Others, like Madame de Maintenon, the Princess Palatine and the Duchess of Burgundy, would have been interesting to know when alive, and it is interesting to read of their careers. To all

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of them Mr. Bradby is fair. As we have said, some legends he picks up from his Saint Simon and other memoir-writers, that would not bear the test of rigid analysis, but they are not important.

One minor peculiarity may be referred to. Mr. Bradby seems to have an extraordinary taste for death-bed details; to the closing scenes he gives a space which seems excessive. The people at Versailles died very much like those of less importance. To be sure, formality and pageantry did not cease even at the death-bed, and perhaps it is for this reason that our author describes in so much detail the farewell hours of kings and dauphins.

It is possible that an equally vivid description of life at Versailles could have been given in somewhat less space and with somewhat less of detail. But condensation has its dangers. The advocate who speaks with fullness and reiteration is more apt to persuade his jury, than he who contents himself with a bare and condensed statement of facts. Mr. Bradby's book gives a fair account of phases of life and thought which are now as extinct, and seem almost as remote, as the ways and usages of the Pharaohs, and in the study of them one can find much interest and some profit.

JAMES BRECK PERKINS.

La Révolution Industrielle au XVIII^e^ Siècle; Essai sur les Commencements de la Grande Industrie Moderne en Angleterre. Par PAUL MANTOUX. [Bibliothèque de la Fondation Thiers, IX.] (Paris: Société Nouvelle de Librairie et d'Édition. 1906. Pp. 544.)

THE Industrial Revolution in England offers a field for historical research still inadequately explored. Over two decades have elapsed since the fragmentary studies of Held and Toynbee. It has remained for a foreigner, after several years of investigation, to make from a wider range of sources than either of these a serious examination of this difficult subject,—difficult not only from the complication of the questions involved but from the comparative paucity of evidence available for their resolution. M. Mantoux, with considerable thoroughness and critical discrimination, has used a large part of the printed contemporary material, the *Journals of the House of Commons* as well as the statutes, the observations of foreign travellers as well as the assertions of native pamphleteers, some four or five local newspaper files besides the *Annual Register* and the *Gentleman's Magazine*. He has also of course consulted more recent books, general and local, biographical and technical. But more than any of his forerunners he has utilized documentary material, the Place and Webb collections in London, the Wedgewood papers in Liverpool, the Soho, Wyatt, Timmins and Clarke papers in Birmingham and the Owen papers in Manchester. The result is a well-written book which for the time being will stand as the best description we possess of this great turning-point in economic history.

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The work falls into three main parts. The first, entitled "The Antecedents", deals with the domestic system in the woollen manufactures as typical of the older form of industrial organization, with the expansion of commerce and transportation, and with the agricultural changes which characterized the eighteenth century. The second part vivaciously describes, with some new details but with little that is fresh in point of view, the history of the chief among the great transforming inventions, commencing naturally with those in the cotton industry, passing on to coal and iron and concluding with the steam engine. A review of the immediate consequences of the new industrial order forms the third and last section of the book. In well-arranged sequence are discussed the changes in amount and distribution of population, the formation and character of the new industrial capitalist class, the condition of the working class both in and outside the factory, and the struggle between the old and new policies, state intervention and *laissez faire*. Here especially is manifested the author's talent for narration, for the facile grouping of multifarious details. He recognizes that in economic history "a multitude of obscure facts, almost insignificant in detail, group themselves in great confused wholes and interact in infinite modifications. To grasp all of them is a task which must be renounced, and when some of them are chosen for description it cannot be ignored that there vanishes, with a part of reality, the somewhat vain ambition of rigorous distinctions and of complete explanations." M. Mantoux has perhaps shrunk too much from distinctions and explanations, but certainly he has succeeded in reducing to convenient order the "great confused whole" which forms the first stages of the Industrial Revolution.

That there should be some slips in handling such a complex mass of details is inevitable. In addition to the appended page of errata, there are some incorrect references in the foot-notes and here and there some errors of fact, such, for instance, as the statement that cotton from Virginia and the Carolinas was first imported at Liverpool in 1794, or that in 1753 the statutes of the Framework Knitters' Company were abolished by Parliament. The existing evidence scarcely warrants the repeated assertion of "a veritable arrest of development" and "diminishing production" in the iron industry of England previous to the middle of the eighteenth century. There is an apparent contradiction on an important point regarding the cotton industry. Following the usual view, it is stated that the industry "had all the advantages of liberty", yet later comes an equally positive declaration that it "did not escape from protection and from official restraint". One balks at an occasional rhetorical flourish such as that which ends the chapter on labor conditions: "It was on the money of the poor, extorted half from the public, half from the poor themselves, that the great fortunes of industrial capital were erected." But more disquieting than these random inaccuracies are the errors in the chapter on agricultural changes. M. Mantoux fails to recognize the composite nature of the class of yeomen

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and gives too early a date to the decline of this class. He repeats the erroneous view as to the devastating character of the sixteenth-century inclosures. More and Latimer are quoted, as might be expected, but after Miss Lamond's labors it is surprising to find Hales's *Discourse* figuring as "William Stafford in 1580" (with a reference to W. Stafford, *Pictorial History of England*). Despite a foot-note citing contemporary pamphlets and despite further information ready at hand, he asserts the cessation of the inclosure movement in the seventeenth century. The further description of eighteenth-century agricultural conditions is almost equally unsatisfactory. The inclosures of this period are not properly characterized either in their methods, their purposes or their resulting effects. Smaller matters may be passed over; it is of less moment that a quarter (of wheat) should be described as a measure of weight or that the system of "roundsmen" should be completely misunderstood. In a second edition the whole chapter should undergo a thorough revision and it is to be hoped that then at least Hasbach's *Die englischen Landarbeiter* (1894) and H. C. Taylor's brief but useful monograph on the decline of landowning farmers in England will not be neglected. In that revised edition the works of Reuleaux and Matschoss should also be consulted for the history of the steam engine.

Even within the limits of time, country and method of treatment which he has judiciously drawn, M. Mantoux has not, unfortunately, fully attained his purpose of deducing the "general notions indispensable for the orientation of new research". Good in the main as historical description, this skillfully constructed and industrious narrative falls short in economic and social analysis. It does not sufficiently penetrate to the core of the matter. Kulischer's paper in Schmoller's *Jahrbücher* (1906) covering a part only of the same great subject, though with far less equipment of fact, poses more searching questions, suggests deeper connections and stimulates more keenly to research.

EDWIN F. GAY.

William Pitt der Jüngere. Von Dr. FELIX SALOMON, Ausserordentlichem Professor der Geschichte an der Universität Leipzig. Band I. Bis zum Ausgange der Friedens-periode, Februar, 1793. Teile II. und III. (Leipzig and Berlin: B. G. Teubner. 1906. Pp. xiv, 600.)

READERS who follow with interest Professor Salomon's activity in the field of English history will greet with pleasure this portion of his work on Pitt. An introduction to the present section and to a concluding volume which is to follow, was issued by the author in 1901. This introduction, styled by him the *Foundations*, was calculated to arouse in the reader misgiving. In its pages patient investigation and sound scholarship were manifest; but the acumen and brilliancy, which suggested the ability in the writer to produce a notable work upon his

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theme, were obscured by a heavy style and faulty perspective. The timeliness also of the introduction's appearance was open to question. It offered nothing in itself complete, and it was a bare promise, without performance, of a feat the success or failure of which only later volumes could determine. Enough of the work is now in print to justify an attempt at a verdict; and one may presage, with a measure of confidence, that the vices of the introduction will disappear in the virtues of the completed work. The heavy style, previously in evidence, is here much alleviated; in so far as a foreigner may judge, this hindrance indeed has almost if not quite disappeared. The author no longer wanders from the path of his narrative; and of his whole undertaking, it is a pleasure to observe that the load, since he has settled to the collar, moves.

Readers of Professor Salomon's introductory volume will recollect that the task which he has set himself is not light. His purpose, as enunciated there and repeated here, is not merely to write a biography of Pitt: the narrow bounds of family life are broken; an adequate account is attempted of the movements, passions, and conflicts of which Pitt was the centre; and that statesman is given his proper setting in English history during the stormy time when he was helmsman of the English state. In order properly to execute this purpose, the author justly observes the need of viewing Pitt in two relations, the one to England herself, and the other to the history of Europe in the period of the Revolution. The present volume, covering the years of Pitt's public life from its beginning to 1793, deals largely, though not exclusively, with the first of these relations, as the next volume presumably will with the second. While chronology had dictated this order of treatment, the author, in the present portion of his work, by no means dissociates England from the Continent. In this connection, he observes in fact, concerning England, that her decline between 1763 and 1783 was not due, as is traditionally held, to the loss of America alone. On the contrary, the mistaken colonial policy which drove America to insurrection was but a single strand of a rotten cable; England's political, social, and economic organization, like that of France, was unsuited to the time; and England's problem was quite that of Europe and of the period, the adaptation of an antiquated system to the needs of a younger generation.

It was the work of Pitt, as a constructive statesman, to initiate and fix in peaceful channels this reform in England, the counterpart of which, in France, cost that country the Revolution. Dr. Salomon, in his introductory volume, recounted what Pitt drew, for his assistance in this task, from his family's and his country's past. Starting from this foundation, the author opens the present volume with an able sketch of the situation and leaders in England at Pitt's entry into public life. Thence the narrative passes in turn to the combination of new Whigs and new Tories which gave England peace with America, and

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to the successive prevalence of the new Tories over their temporary allies by the accession of Shelburne to the premiership on the death of Rockingham and by the decisive victory of Pitt over Fox. These events and the subsequent reform, whereby Pitt embodied in the government of England the constitutional and economic ideas of Chatham and Smith, occupy the first half of this volume. In the second, the narrative passes largely to other than domestic affairs, to Pitt's colonial policy, and to the share of England, under his guidance, in the European diplomacy which culminated in the struggle with France. In both portions of the volume Professor Salomon displays in his narrative the freshness and virility of the investigator. His search for new material has been careful; and he is able to report, in this respect, good results. At the same time, he warns against the heresy that unprinted material must necessarily supersede the printed. Printed material indeed, if sufficiently neglected, becomes a mine for the historian. As a case in point, Professor Salomon cites the English Parliamentary Debates, too little regarded even in England; and he remarks well that the biographer of an English statesman, if he neglect these debates merely because they are printed and easily accessible, will forego the very material which any other biographer would covet. Professor Salomon himself has given them all the attention and weight due in the case of Pitt, whose life centred, to a degree unusual with English statesmen, in Westminster. In this and other points, the author, who is not a stranger to England, has shown an insight, and possibly a sympathy which have drawn upon him the censure, by at least one of his countrymen, that he is no longer a cold critic of English institutions. By English readers the fault, if it exist, will be lightly forgiven.

H. M. Bowman.

Napoleon's Campaign in Poland, 1806–1807. By F. Loraine Petre. (London and New York: John Lane Company. 1906. Pp. xxiii, 339.)

It is a pleasure to take up a volume with such excellent paper and type: the manufacture of the book calls for especial praise. Its author has found in English no detailed work on this campaign, which he feels "could not be less interesting than . . . Austerlitz and Jena"; and he has filled the gap by patient study, though his list of authorities is not exhaustive. The book begins with a chapter on the state of Europe in 1805 and 1806, with a crisp sketch of the armies, the leaders and the lieutenants on both sides, and gives a careful description of the topographical features of the difficult theatre of war—its marshes and forests, its mud and snow, its summer heat and winter tempests. Then follow the several operations, from that beginning in November and culminating in the battles of Pultusk and Golymin at Christmastide, 1806, through the butchery of Eylau in February and its succeeding winter quarters, the siege of Danzig, and the "final triumph" at Heils-

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berg and Friedland in June, 1807, followed by the Treaty of Tilsit. At the end are three maps of the theatre of war, on two sheets, and seven battle-plans on a third sheet.

The style is simple and direct, with abundant foot-notes, the matter in some of which might be incorporated in the text, to save interruption of the narration by the reader. The detail is considerable, but not too great for a work dealing with a single campaign. There is much comparison as to numbers engaged; no item in military history is so elusive as this, the archive records being often wrong. The manoeuvres are intelligently described; but Napoleon's lapses from the skilful management he had shown in former campaigns might be more accentuated. There is little to criticize in the Austerlitz and Jena campaigns; there are many points of criticism in the Polish. Up to this date, for instance, Napoleon had made it a maxim to assemble his army out of reach of the enemy and then fall in mass upon him. In the Polish campaign he practically opened by a concentric operation, such as he had always superciliously criticized in his opponents, and one in which battle might be expected to occur before concentration; and as generally happens, the several bodies did not co-operate, and despite claims of victory, were practically beaten in detail. Had his opponent been of the first force, Napoleon might have been driven into an excentric retreat, to his great loss. Again, in the last part of the campaign, the emperor moved by his left to cut Bennigsen off from Königsberg, when the Napoleonic manoeuvre would have been to move by his right to cut him off from his Russian base, and force him back on the sea. Or again, after Friedland, it would have been easy, despite the losses and exhaustion, to seize Tapiau and thus control Bennigsen's real line of retreat, for Königsberg was at best only a secondary base. These lapses are all mentioned by the author; but to the ordinary student, a fuller comparison with other campaigns, or the discussion of strong or weak points would prove interesting.

In Bennigsen, Napoleon had an enterprising and able antagonist; but like most of the others, one who was afraid to push home when once started. His two attacks on the French were well timed and executed; but when success was in his grasp he paused, and Napoleon, with his wonderful ability to divine what was doing and sense of the proper moment to strike, seized the initiative.

When you weigh, against the almost perfect conduct of the Ulm-Austerlitz, or the Jena campaign, the false concentric operation on Golymin and Pultusk, the venturesome, useless and costly attack at Heilsberg, the wrong strategic manoeuvre on Friedland, one must conclude that despite many truly Napoleonic features, this Polish campaign exhibits less skill than some of the others; and that while of marked interest it is chiefly so for its astonishing trials of fortitude between the French and Russians, and as a proof that even this great captain was liable at times to be less than himself.

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We close Mr. Petre's book with the feeling that he has done a good piece of work, filling a needed gap; and we welcome his forthcoming volume on "1806", in which, however, he will find more predecessors. In all European languages military history is prominent. Among us. English-speaking peoples it is deficient, mainly because we have practised war only at intervals, and not constantly, as have the Continental nations. With our growing world-policy and the Monroe Doctrine we may in the not distant future need more military knowledge than we now possess; to create a military cult is worth while; and all good books on campaigns worth study should prove acceptable. We hope Mr. Petre has entered the arena in earnest.

THEODORE AYRAULT DODGE.

Geschiedenis van het Nederlandsche Volk. Door P. J. BLOK. Zevende Deel. (Leiden: A. W. Sijthoff. 1907. Pp. iii, 545.)

DR. P. J. BLOK, the professor of Dutch history at the Leiden University, is successor to Robert Fruin. He issued the first volume of his *Geschiedenis* in 1892, when at Groningen. Of his seven volumes, three have been put into English, bringing the story to the end of the Truce, 1621. Of this final volume, No. VII., Book XI. covers in six chapters the "French Period", that is, from the organization of the Batavian Republic to Waterloo and the return of the Prince of Orange. Book XII. covers in four chapters the period of the Kingdom of the United Netherlands to the secession of Belgium in 1830, and the time to 1839. The author's original plan, outlined in his preface to volume I., is thus symmetrically carried out. No other work in the Dutch language occupies a place equal to Blok's, in comprehensiveness united with fresh and scientific treatment of sources. Before becoming historian, he delved long and patiently in the archives of his own and of other countries.

Dr. Blok begins volume VII. by picturing in sprightly vein the great convention at the Hague in 1796, when the Unitaries and the Federalists met for debate and organization of the Batavian Republic. This assembly was over-rich in dangerous radicals. Returning patriots wanted the model of a French Republic followed closely, but Schimmelpenninck happily presaged the desires of the best men of both parties. Friesland and Zeeland were at that time strongly provincial or federalist, while Holland, Utrecht, and Overijssel favored the Unitary idea of centralized power. Along with the undoubted evils of French rule, order and much uniformity were brought in. The immensely diverse and foolish customs along with privileges were abolished, the archives centralized and put in order and the two feeble universities closed. Napoleon spent only three weeks in the kingdom over which he placed his brother, preparatory to incorporation with France. In addition to galling taxation, the people suffered from the decline of native manufactures and industries. Of forty thousand Dutch conscripts who marched to Mos-

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cow, not two thousand returned. The experiment of Frenchifying Dutchmen was not a success. The Dutch were quite ready, after Napoleon had been sent to Elba, to meet him at Waterloo, on which field five thousand Netherlanders performed prodigies of valor.

The Kingdom of the United Netherlands was formed by action of a congress of the Powers, but Dr. Blok shows very clearly why such an ill-starred union of the Dutch and the Belgian peoples, as unlikely to mix as oil and water, could not and did not hold together. Their historical precedents, the differences in religion, the diversity of economic and industrial interests, made it impossible that the clamps put on by a congress of aliens could hold together such an artificial structure. The Belgians, most of whom would have preferred being incorporated with France, had no sympathy with Protestant Holland. Rising in revolt, they chased the Dutch out of the country. Dr. Blok goes into pretty full detail in describing the second congress, which, like divorcing lawyers, met to undo the work which their predecessors had hoped would never be put asunder. It must be painful reading to a Dutchman to note how the great monarchies employed this congress as a mere pretext to gain their own ends, using Holland as a shuttlecock. An American reader wonders whether, after all, our local and national politics are any worse than those of the sort done under such high-sounding phrases. The work concludes with a glance at the northern provinces as they begin again their separate life.

Comparing the general result with title and plan, it must be said that Dr. Blok has failed in one direction, while winning signal success in others. Here is a first-class political history, and in so far a positive contribution to knowledge. His pages show familiarity with the schemes of diplomatists and with the real thoughts and ambitions of politicians, generals, and statesmen. The great figures, like Maurice, Barneveldt, and the line of Williams, great and little, stand out on his pages as clear personalities. The trend, development, and issues of great movements are apparent, the author showing ability and grace in marking off the various periods. He sees when an issue is dead. He knows well the economic bases of the nation's story. His pages are wonderfully clear in their revelations as to the opening and closing of trade-routes and markets, and in showing how the legislation and customs of surrounding peoples made weal or woe for the Dutch people. At times he is informing and brilliant in his pictures of phases of society, notably in his treatment of the Burgundian era. From this view-point, his work is highly satisfactory. Yet on the whole, those who seek in these volumes a real history of the Dutch people, how they grew to be a nation, and what were the forces outside of politics proper that shaped them, will be disappointed. If religion be a real force in the making of a people, then one mighty factor in the evolution of the nation has been overlooked. Even the great emigration of "the Dutch Pilgrim Fathers" of 1830, and later, which so filled our own Northwest, is not so

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much as mentioned. The part played by women is scarcely noticed. Herein Dr. Blok has rather fallen away from his promises. The scientific student of Netherlandish history will however richly enjoy this work, with its copious reference to authorities, both in foot-note and special chapters, its excellent indexes, and the colored maps accompanied with proper annotation in every volume. Certainly in critical value Blok's history has no rival.

WILLIAM ELLIOT GRIFFIS.

Rome et Napoléon III. (1849–1870). Étude sur les Origines et la Chute du Second Empire. Par ÉMILE BOURGEOIS et É. CLERMONT, avec une Préface de GABRIEL MONOD. (Paris: Armand Colin. 1907. Pp. xvii, 370.)

THIS is an important book. First, it illustrates that fine disinterestedness which characterizes contemporary historical scholars in France. They have the good fortune to be placed within reach of material which their brothers in Germany and England are denied. There is nothing so kind to a historian as a successful revolution if it unearths the material he requires. Since 1871, or more properly since about 1885, Republican France has been lavishly pouring out state secrets concerning the Republic of 1848 and the Second Empire. As a political move what could be shrewder than to expose the blunders and wickedness of Louis Napoleon's régime? The dullest Frenchman can hardly wish to restore the Empire, when he has seen the Empire as it was. What historian does not wish that he might have equally free access to the archives of Prussia and Germany from 1860 to 1890, instead of having to depend on official historiographers, who naturally write to fit their story to the prescribed Hohenzollern legend? Fear of *lèse-majesté* does not conduce to impartial writing. But the French wish to do more than discredit Imperialism; they are earnestly bent on profiting by their national failures. It is the purpose of learning from the recent past what to shun in the present and what to pursue in the future that gives to a monograph like this of MM. Bourgeois and Clermont its impress of *actualité*, as the French themselves call it. And the general spirit of veracity, even when veracity exposes French blunders, makes their work disinterested.

In the next place this book traces for the first time the results of Napoleon III.'s meddling in Rome. We have had hitherto a mass of testimony, both French and Italian, in regard to the Roman Expedition of 1849 and the September Convention; we have also a good deal of material about the preliminaries of the War of 1870 and of the attitude of Italy and Austria after war was declared: but MM. Bourgeois and Clermont are the first to show, in a single volume, the causal sequence between the three crises. With commendable openness they follow step by step the insincerity which prompted the Prince President to despatch Oudinot's corps to suppress the Roman Republic of 1849, and

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the fatuity with which, twenty-one years later, he allowed his entanglement at Rome to cost him the help of Italy and Austria in his struggle with Prussia.

Although the authors assign nearly half of their volume to the first episode, the second and third sections really contain the freshest material, especially the chapter on the attempt at a triple alliance (France-Austria-Italy) in 1869, and the chapter entitled "Le 25 juillet: Rome et l' Empire". Professor Bourgeois, to whom this part of the work falls, shows that Napoleon, after having set in motion the negotiations for the secret alliance and found his would-be partners willing, failed to make a binding league. Yet in the following year he went on to act as if the league had been clinched, when, on declaring war, he assumed that Austria and Italy would support him. M. Bourgeois apparently believes that, although documentary proof cannot be produced, Italy and Austria had given the emperor sufficient reason to rely on them and then deserted him. But surely if the Imperialists had any papers to that effect, they would long ago have published them, in order to lift from their shoulders some of the terrible responsibility for bringing calamity on France.

However that may be, Professor Bourgeois states that on July 25—which "with Sedan and the capitulation of the French army are the most unhappy dates in our history"—Napoleon refused to sanction the entry of the Italians into Rome as the price of Italian co-operation. M. Bourgeois admits that the Clericals, working through the empress, had a large share in this decision, but that Ollivier, on his own admission, finally persuaded the emperor to adopt it. And thus Nemesis exacted full retribution for the crime of 1849.

The authors provide an extended criticism of the authorities used by them. They regret that much necessary material is still inaccessible—not only foreign material but Imperialist, which the Bonapartists control. Ollivier alone, of the old ministers, has become garrulous. But in Italy the memoirs and correspondence of Nigra and Visconti Venosta, not to mention those of lesser men, would be needed to complete the sources on that side—it is not clear that our authors know Chiala's indispensable work—and in Austria Beust, the younger Metternich and others are still to be heard from—for Beust's revelations are obviously only partial. How much is hidden in Prince Napoleon's papers no one can say. Empress Eugénie is supposed to have rescued the most important secret documents before her flight from Paris, but her memoirs may not be printed for many years, and they may not be trustworthy. And yet, in spite of gaps in the evidence, the general accuracy of MM. Bourgeois and Clermont's analysis cannot be doubted. Were nothing more ever to be added to the testimony it would be perfectly clear that Louis Napoleon in forcing himself into the position of protector of the Pope, unwittingly hampered his future policy and prepared his own downfall.

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M. Monod's able preface merits more than passing praise. He has succeeded in presenting briefly the argument of the book itself. But we regret that such an important work should have no index. How much longer will Continental scholars continue to deprive their readers of that indispensable adjunct?

WILLIAM ROSCOE THAYER.

Der Krimkrieg und die österreichische Politik. Von HEINRICH FRIEDJUNG. (Stuttgart and Berlin: J. G. Cotta. 1907. Pp. viii, 198.)

HEINRICH FRIEDJUNG is well known in Germany as the author of what is widely acknowledged to be the best general treatment of the political and military struggle in our day between Austria and Prussia, *Der Kampf um die Vorherrschaft in Deutschland, 1859 bis 1866,* (two volumes). This work has gone through six editions and owes its reputation to a remarkable combination of scientific method and popular presentation. The present publication is declared in the preface to be part of a study in preparation on the history of Austria, 1848–1859; having grown beyond its proper limits it is now published in advance, the remainder being promised in about a year. It is possibly this quality of an excerpt that explains (certainly without justifying) the entire absence of information as to sources or literature; we are given no statement whatever about the material at the disposition of the writer, though of course most of his published authorities are to be determined through the foot-note references. It is difficult to understand how a serious student can make such an omission, can fail to remember that, especially with a study in recent diplomatic history, we need to be guided in our judgment by exact and full information as to the unpublished material used or available. The author has used documents of a most confidential kind, but apparently not under primary conditions; the secondary publications from which they are derived are however given no critical scrutiny, though in most cases they are manifestly more or less partizan and controversial. There is no hint at archival limitations, but only two or three archival references are given in the foot-notes; it may be that Herr Friedjung had practically no access to archival deposits and that he assumes that this will be understood. In that case however, apart from the question of the wisdom of entering on thorough research under such conditions, a strong protest must be entered against the absence either of any clear statement to this effect, or of any indication of it in the manner of presentation.

Only one reference is given to private unpublished material, that being (p. 161) to the "ungedruckten Tagebuche Kubecks", concerning which or its place of deposit no further information is vouchsafed. For Gortschakoff's Vienna dispatches the author apparently relies wholly on two Russian works; one is Petrow's *Der russische Donaufeldzug,* about which we are not given even enough information to locate it, the

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other is Baron Jomini's *Étude Diplomatique sur la Guerre de la Crimée* (two volumes, St. Petersburg, 1878), which as Friedjung himself tells us was prepared under Gortschakoff's direction in order to make out a case against Austria. The dispatches from the Austrian ministers abroad seem to be got mainly from the memoirs, etc., of these individuals; it will be remembered however that in almost every case these diplomats were partizans then and later, and that they published their diplomatic remains with controversial intent.

One would be almost justified in dismissing a study set before us in this manner with the remark that it is impossible to judge of its value. But after reading the book this seems too cavalier a proceeding with what is evidently not only a serious study but a remarkably effective one. It is a very clear and judicious analysis of the curious conditions of the conduct of Austrian foreign relations in the years 1853–1856; a most tangled web is handled with great skill and precision. On the whole the previously prevailing conclusions are not disturbed, though there is much additional light as to detail and some shifting of emphasis. That the Austrian administration was in incapable hands, that Austrian counsels were divided, that the Austrian policy was selfish and timid in the extreme, that nearly all the other powers were in turn alienated and that Austria emerged isolated in Europe; all this we knew before. But we are here given a careful analysis of the contending elements, and explanations of the Austrian point of view and of the unlucky turns through which the Austrian aims and methods were doomed constantly to make the worst possible impression. It is purely a diplomatic study, concerned wholly with those who conducted foreign relations for the moment; no information will be found on any other sides of the Austrian conditions. Necessarily it is to a considerable degree a study not only of the Austrian but of the European diplomacy of the Crimean War. While the book cannot be conclusive or even of great authority, it is of much interest and suggestiveness; the treatment is objective and the tone judicial, and in all probability the analysis of the situation and the representation of the course of events are entirely trustworthy. If this special study marks Herr Friedjung's transition from popular to scientific work, historical science may well welcome the accession; with however the warning that the passage does not appear to be yet fully accomplished.

VICTOR COFFIN.

La France et Guillaume II. Par VICTOR BÉRARD. (Paris: Armand Colin. 1907. Pp. ix, 315.)

M. VICTOR BÉRARD has brought together under the title *La France et Guillaume II.* a series of papers on Franco-German relations, which have already appeared in the *Revue de Paris.* It does not pretend to be a systematic treatise on diplomacy nor an impartial examination of the policy and measures of the German Emperor. It is on the

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contrary an argument against the economic stability of Germany and a diatribe against the "Machiavellian" and "treacherous" diplomacy of Berlin—clear, suggestive, and entertaining, but hardly destined to escape the oblivion that overwhelms things printed. By conviction, M. Bérard is against imperialism of the Chamberlain and Rhodes type, but with Mr. Hobson and Mr. Reinsch he understands the pitiless pressure of economic forces in the expansion of Western Nations and he wastes no time on beatific dreams of *la petite France*. He studies the relations of France and the Emperor in the light of the conflict of interests in the world market-place.

His volume falls into three parts, the first of which is devoted to an examination of French colonial and foreign policy, French economic activities so far as they are related to external politics and finally the exigencies of French finance. On the first of the three points, he warns his countrymen that they have an eastern frontier as well as colonies and that they must keep their powder dry. He therefore rejoices in the Anglo-French *entente cordiale*, which has a foundation deeper than sentiment in reciprocal economic advantages. The German monopolists, he declares, are at cross purposes with the civilized world; their commerce and industry are in conflict with England and the United States; and their agriculture clashes with that of Russia and Austria. On finance and diplomacy, M. Bérard is more eloquent than convincing; he scorns the financiers and holders of foreign securities who sacrifice the honor and true interests of their country rather than endure a decline in stocks, but he will hardly keep them out of politics by suggesting that patriotism and poverty are more to desired than truckling diplomacy and great riches. He admits that the exigencies of high finance were responsible for the resignation of Delcassé in the recent affair with Germany over Morocco—an affair which, he believes, will mark a turning-point in the national life of France.

M. Bérard's second book contains an analysis of German foreign and commercial policy as exemplified in South American enterprises—especially in the development of Venezuelan resources. The conclusion so far as the German emperor is concerned was foregone: brutality is odious to the French—they hold with the old-fashioned English radical that force is not a remedy. The German emperor, however, is troubled with no such scruples: "alors que l'humanité entière se met en marche vers une justice plus équitable, vers une paix fondée sur le droit, vers un bonheur démocratique, le seul Guillaume II. croit son destin lié à défense des vieilles choses, des crimes hamidiens, de la barbarie marocaine, de l'autocratie tsarienne, du 'péril jaune,' de la misère chinoise, de caporalisme, de la monarchie de droit divin". Despite this fact, however, the emperor's militarism and bravado will not avail him anything, because the competition of other nations brings ruin to German industries; the great Brazilian paradise has proved a desert and German trade with it fails to fulfil expectations; the other South Amer-

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ican republics are hornets' nests guarded by the Yankee; Finland and Poland may become autonomous, Russia constitutional, Austria democratic and modern, Hungary and Slavonia federal, and the Balkans free and reformed;—finally the whole world except the Sultan is alarmed at his pretentious imperialism.

M. Bérard concludes with an examination of *Menaces et Offres Allemandes*, taking as his text a speech by von Bülow to the effect that any attempts to construct a circle of antagonistic powers and thus isolate Germany would be dangerous to the peace of Europe. This, according to our author, is just what is most likely to happen. A mutual understanding between Russia, England, and France is one of the probabilities of the near future, and Denmark and Norway will turn toward the west rather than to Prussian tyranny. The union of southern Europe will be even more easily accomplished: the Triple Alliance will die; German competition weighs heavily on Italian industries and shipping; Hungary rising rapidly to a position of industrial independence will resist the tutelage of both Vienna and Berlin; in the contest for the Levant trade, the merchants of Fiume and Trieste find formidable competitors in the ubiquitous German and no mere political alliance can effectively withstand the strain of trade war. Slavs, Magyars, and Latins are destined to be linked by economic interests and the future seems a happy one for the Frenchman. If brilliant hypothesis, carefully selected statistics, and ardent hopes were conclusive, this would be an impressive book. Whether its thesis is a prophecy or a delusion, the future alone can decide.

CHARLES A. BEARD.

BOOKS OF AMERICAN HISTORY

Letters and Recollections of George Washington. Edited by LOUISA LEAR EYRE. (New York: Doubleday, Page and Company. 1906. Pp. xi, 289.)

George Washington, Patriot, Soldier, Statesman, First President of the United States. By JAMES A. HARRISON. (New York: G. P. Putnam's Sons. 1906. Pp. xxiii, 481.)

MRS. EYRE'S volume comprises ninety-one letters from Washington to her grandfather, Tobias Lear, between the years 1790 and 1799, Lear's account of the last days of Washington, and one hundred and thirty-nine letters from Washington to various persons on matters connected with the private life of the writer of them. Very few of the letters in the book are included in either Ford's or Sparks's collections, no doubt for the reason that they do not deal with the more important public phase of the life of Washington. Moreover, most of them have been printed hitherto in special editions, which are not readily accessible to the student. Their publication in this popular form will confer a favor, therefore, on the public, although the present edition has the

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serious shortcoming of having neither index, list of letters, nor explanatory notes. The text itself, so far as there is duplication of selections, shows unimportant variations from the two leading collections; and the forms given by Mrs. Eyre have the appearance of being the older ones. Of the Lear matter we are given by Mrs. Eyre a reproduction of the copies of the letters made by Benjamin Lincoln Lear for Sparks, who in his own collection, as is well known, made liberal corrections with the purpose of making Washington's style conform to modern standards. Mr. Ford adopted the better plan of making only those changes which a reasonable desire to avoid eccentricities would suggest. Mrs. Eyre's text conforms more closely to Ford's in those few letters which are included in both collections, and where there are variations her forms seem more antique, which raises the presumption that she has followed the originals with pretty fair exactness. But it must be said that the reviewer has not been able to compare her texts with the original letters, and that, of course, is the only means of coming to a sure judgment on this point.

The history of the letters to Lear is an interesting story, and one not easily attainable. The originals went after Lear's death to his son, Benjamin Lincoln Lear, who died intestate, leaving a widow and one daughter, Mrs. Eyre. When the widow died the daughter was in Europe. On her return she learned that the correspondence in question was in the hands of another relative, and brought suit to recover. Judgment was given for the other relative, but in the end the letters passed into the hands of the latter's lawyer, from whom they passed to his stepson, a recently prominent American literary man. The latter kept them together till his death, but since that event many of them have come into the hands of Mr. W. H. Bixby, of St. Louis, who has printed what he had in a limited edition. While the papers were in the hands of Benjamin Lincoln Lear, he made copies of the letters and of his father's account of the last days of Washington for Jared Sparks, who later presented these copies bound in a volume to Mrs. Eyre with an inscription which she has reproduced in the volume now under review. It is from this manuscript volume that she takes her text of the letters and the narrative as well.

It was inevitable that George Washington should come at last into the *Heroes of the Nations* series, but it is a little disappointing that his entrance should be made in so sorry a plight as in Professor Harrison's romantic volume. This author seems to write under the spell which John Esten Cooke by his *History of Virginia* casts over the old and unscientific school of Virginia historians. He presents his story in a wealth of fantasy which Cooke himself would never have used. President Woodrow Wilson has made for us a beautifully idealized portrait of Washington in the style of a master painter, Mr. Paul Leicester Ford has given us a satisfactory account of Washington's inner life in most of its phases, and Mr. Lodge and others have presented valuable and

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sufficient stories of Washington in his varied public relations; but the present writer has done neither. His intimate relations do not touch the real Washington, his presentation of the man of public affairs has the least possible regard for the problems or conditions of the time, and his whole picture is unreal.

To be more specific: "The strong, controlled passion of a soul which strove in vain to spend itself on men and affairs, now, at twenty-six, turned its ardour [*sic*] towards a lovely woman who was, like the gallant colonel himself, a 'consummate flower' of the Virginia planter commonwealth" (p. 114). And again, "Having married a fashionable woman, a sensible 'nut-brown' maid . . . Washington felt it necessary to be fashionable too, in all his dress and appointments" (p. 129). Probably Professor Harrison is the first man to attribute Washington's care to make a good appearance to the influence of his "nut-brown maid" who at the time of her marriage was the mother of two children. Washington's presidency is given to us in one chapter of twenty-seven pages, the first six of which bring us through the inauguration ceremonies of 1789. In the remaining part of the chapter there is but the slightest grasp of the subject. We are told: "The dear old mother-country had erred grievously in her behaviour [*sic*] toward her child, but Washington, forgiving but not forgetting, could not bring himself to break with her, eminent as were the claims of France to his gratitude, when the French war came on in the nineties. He loved England too much to set himself against her, and this exceeding affection at last put Britain—reversing Scripture—into the position of the prodigal mother who, having spent her immeasurable wealth of colonies in riotous living, came to fall at the feet of her child and ask its pardon" (p. 429). The scriptural allusion may be above criticism, although to the reviewer it seems a little mixed; but we may well ask, when did England fall at the feet of America during either the presidency or the life-time of Washington? Was it at the time of the Jay treaty? Or was it at the time of the French difficulty—which was not a war—when she was still insisting on the right of impressment and smiling to see how near the prospect of war with France was bringing, not England to America's feet, but America to England's?

A History of the People of the United States, From the Revolution to the Civil War. Volume VI., 1830–1842. By JOHN BACH MCMASTER of the University of Pennsylvania. (New York: D. Appleton and Company. 1906. Pp. xviii, 658.)

BETWEEN the second war with England and the era of the Civil War there is one period which has been the favorite study of historians, and there is one typical character, the strenuous hero of that generation, who has always possessed an unfailing attraction for biographers. That period is the decade which scarcely contains the first three presi-

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dential administrations of a triumphant new democracy. That character, of course, is, not the persuasive Clay nor the Titan Webster, but Andrew Jackson, idol of the common people. To that period and to that character Professor McMaster's study of our national development has now come. This sixth volume, comprising chapters LIV. to LXX., inclusive, of the whole work, is devoted almost entirely to a continuous and thorough analysis of political events, forces, and controversies during the presidencies of Jackson and Van Buren. A single concluding chapter begins the narrative of John Tyler's first stormy year, and drops it abruptly as the fruit of the first great victory of the Whigs was turning into Apples of Sodom upon their lips.

The first two chapters (LIV., LV.) present the familiar topics of Jackson's war against the Bank, the beginnings of the nullification movement, and the states'-rights discussions that sprang up over the propositions to sell the public lands, and to seize the Indian lands in Georgia, Alabama, and Mississippi. Eight chapters (LVII.–LXIV.) contain the story of Jackson's second administration, with the elections of 1832 and 1836. Along this well-beaten path we find the controversies over the tariff and the end of Nullification, the removal of the deposits, the battle of "hard" and "soft" money which gave to Benton his picturesque sobriquet, the rise of anti-monopoly and abolition parties and the Southern wrath on account of anti-slavery petitions in Congress, the war between Texas and Mexico, the debates over the proposition to distribute the proceeds of the sales of public lands and the concomitant extravagances of speculation and of "internal improvements".

One chapter alone (LVI.) is professedly devoted to sketches, all too brief, of social conditions and movements in this period. The author reviews here the growth of anti-slavery sentiment and agitation, the upheaval of "Native American" antagonism to the evils of unrestricted immigration, the effect of railways and canals upon commercial and industrial progress, and the evidences of a gradual improvement in moral standards, as shown in prison reform and other projects of amelioration for which, although the author does not say so, we owed much to European example and leadership. It is instructive to observe how the age of the new democracy was an age of mob violence. The lack of unity between social classes was more marked than it now is. On one hand there was a racial revulsion against the first wave of Irish peasant immigration, and, on another, a strong moral revulsion against alleged injustice, first, politically, of Masonry and, next, of slavery. Democracy, confronted by problems that Jefferson had not solved, was compelled to re-define its political philosophy and to rediscover its conscience.

An interesting episode is revealed in the story of the boundary dispute between Michigan and Ohio, involving the territory wherein the city of Toledo now stands. An account of the origins and spread of Mormonism loses somewhat in interest and force from desultory treat-

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ment, and a similar difficulty, possibly almost unavoidable, weakens the narrative of the attempts to secure the Oregon country by colonization.

Five chapters (LXV.–LXIX.) describe the plucky struggle of Van Buren and his advisers against abounding adversity. First comes the panic of 1837 and a long analysis of the opinions of party leaders and journalists concerning its cause and cure. Another chapter ranges over the boundary disputes from Maine to Oregon and to Texas, and shows how the administration braved unpopularity in trying to preserve a correct attitude toward the Canadian rebels on the one hand and the British government on the other. Chapter LXVII. portrays the slave power striking down Elijah Lovejoy at Alton and closing the door of the House of Representatives to anti-slavery petitions. A continuation of the same subjects in the following chapter incidentally gives an excellent account of the "Buckshot war" in Pennsylvania, the "Broad Seal war" in New Jersey and the "Aroostook war" in Maine, three controversies of illustrative character which are usually described only in obscure allusions. In chapter LXIX. is retold the always interesting story of the fantastic presidential campaign of 1840. Although the author usually contrives to avoid the temptation to employ his gift of humor, we do catch glimpses here of the frenzied battalion of Greeley's "scrambling mob of coon-minstrels and cider-suckers".

The last chapter (LXX.) although entitled "The Quarrel with Tyler", deals more at length with such affairs as the Amistad case, the trial of Alexander McLeod, and the chaos of currency in the West and South than with the avowed subject.

The volume before us presents a coherent, comprehensive, and illuminating narrative. It is not a series of monographs, but gives the impression of the progressive development of national powers in relation to one another. The most striking feature of Professor McMaster's work in this, as in other volumes, is the prominence given to careful abstracts of congressional speeches and important public documents, and also of editorial articles in influential journals. This patient dissection of actual arguments on both sides of every controversy becomes at once an excellence and a danger. It must undoubtedly win the appreciation of the student, if not of the general reader; but there is danger that what is gained in minuteness or subtlety of appreciation may sometimes be lost in sustained interest and dramatic force.

Despite the prominence given to speeches, however, the reader obtains few clear impressions of the speechmakers. Attention is steadily directed to the incidents of the play rather than to the actors. In the work of Schouler, thus far our author's principal competitor, rather the reverse is true. When one remembers what masterful personalities spun the web of the story that Professor McMaster unfolds, it seems a little surprising, though not disappointing, that one so seldom sees the actual men moving here among the threads.

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It is strange that the birth and growth of the modern metropolitan press in New York city finds no place in this chronicle. Amid so many summaries of editorials how could the development of an institutional press be overlooked! The period with which this volume deals saw the culmination of the influence of the great party organs in Albany, Washington, and Richmond, and the inception of the cheap dailies that gradually overtopped all others and revolutionized the journalistic profession. Of the three cheap dailies that succeeded in these first attempts to bring news to the multitude, and the multitude to the news, the *Sun* was started in 1833 as a paper for working people, the *Herald*, in 1835, as the first real newspaper in the country, but with only one principle, "We have never been in a minority and we never shall be"; and the *Tribune*, in 1841, as a mouthpiece for advanced ideals of righteousness upheld by one of the most remarkable personalities in our history.

A few typographical errors have been noted, as *Newburne* for *Newbern* (p. 74), *campagn* (p. 115), *Greeley* for *Greely* (p. 513). In the account of the imbroglio with France on page 236, the reference to King Charles obviously should be changed to King Louis Philippe.

The volume contains three maps, one of the independent Republic of Texas, one of the United States in 1838, and one showing the distribution, east of the 100th meridian, of the population of the United States in 1840.

C. H. Levermore.

The American Nation: A History. Edited by Albert Bushnell Hart. Volume XVI. *Slavery and Abolition, 1831–1841.* By Albert Bushnell Hart, LL.D., Professor of History in Harvard University. With Maps. (New York and London: Harper and Brothers. 1906. Pp. xv, 360.)

Although so much has been written on the difficult topic of American slavery both before and since the Civil War, conditions that might seem ideal for the historian of the general subject of slavery in America are unfortunately not yet present. An accurate and full knowledge of its local history in all the American political communities that supported the institution is still so far from complete that safe and final generalizations on slavery as a whole and the vital questions to which it gave rise are not readily made. The controversial nature of these questions only enhances the historical task, so that the appearance of a work that appreciates and attempts fairly to present both sides of the discussion is refreshing and stimulating.

Professor Hart has approached his subject in a catholic spirit and has written in a clear and interesting style a book which will be recognized as a valuable contribution to the literature of the anti-slavery movement. The slavery controversy is the central theme in the author's mind, rather than the details of the institution, though the latter are described at some length because of their causal character. His expressed intention is

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"to show that there was more than one side to the controversy, and that both the milder form of opposition called anti-slavery and the extremer form called abolition were confronted by practical difficulties which to many public-spirited and conscientious men seemed insurmountable". The record of the overcoming of these difficulties through political intervention is left for subsequent volumes in the series, while this one, as a special monograph emphasizing the social and moral issues of slavery, supplies the blank on that subject purposely left in Professor MacDonald's excellent study of *Jacksonian Democracy*.

From this point of view a unity and balance of treatment is well sustained except in the particular of the inclusion of the chapter on the "Panic of 1837". However necessary the financial events of Van Buren's administration there related may be to the general plan of the series, no additional light is thrown on the slavery question. The first three chapters (48 pp.) of the book parallel the social, intellectual, and commercial conditions of the North and of the South, somewhat to the disadvantage of the latter, and supply the background for the division and contest of sentiment. This portion of the book introduces the first phase of the question, slavery and the Southern economic and social system, described in the following six chapters (87 pp.) with reference to the classes, whites, free negroes, and slaves both on the plantation and as to the slave mart. The remainder of the text (chapters X.–XXI.), a little more than half of the book, is devoted to the slavery controversy and the results of abolition; stating and estimating the arguments *pro* and *con*, and giving an account of the rise and progress of abolitionism, of the split between the branches of abolitionists, and of the attitude of the states, nation, and certain foreign powers to the movement opposed to slavery. A final chapter (XXII.) contains a well systematized bibliography with some critical comment, comprising the selected authorities, exclusive of the author's personal acquaintance and inquiries in the South, upon which the work is based. There are six illustrative maps and a frontispiece, a full length portrait of John Quincy Adams, the "inveterate defender of the sanctity of petitions". A few manifestly typographical errors are to be noted, p. 25, l. 20; p. 283, l. 21; p. 295, l. 10.

Events are followed in the main from 1830 to 1841, but in a number of instances, especially in the first half of the book, it has been found necessary for clearness to trace movements such as enslavement, slave trade, or anti-slavery from origin to a culmination in 1850 or 1860. Professor Hart says (p. 50) that "the English settlers at once began to enslave their Indian neighbors", but he escapes the almost universal error of identifying the institution of slavery in America with the few negro servants imported into Virginia in 1619. The use of the term "slaves", however, as applied to convicts (p. 49), in view of his statements on servitude (pp. 49, 76), cannot be intended to be taken literally. Though he has no greater sympathy for slavery than the thinking

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Southerner of to-day, he candidly admits that in practice the system contained features that were good.

Exhaustive and expansive crops like tobacco and cotton, as well as the land and labor systems which developed with them and of which they were in part the cause, were of importance in producing the static and non-self-sustaining condition of Southern agriculture prior to 1860, and the author remembers (p. 169) that slave labor was negro labor and that at least one charge against the form of labor organization, that it was uneconomic, is not wholly sustained by "the experience of the last forty years". In a brief but suggestive chapter on the free negro a conclusion is reached that his criminality both in the North and in the South was "far above" his numerical proportion, and that though subjected to discriminations and a "fearful potentiality of punishment" the well-behaved and industrious free negroes were "probably little disturbed".

The strongest part of the book is the latter half, in which, through the description and analysis of the argument in slavery polemics and apologetics, the mental attitude of the disputants is made clear. New light is thrown on the history of anti-slavery sentiment and organization prior to 1829, and the relative importance and success of the Garrisonian and non-Garrisonian abolitionists in attaining the great end by their widely different methods and aims is so well stated as to materially modify the traditional view of the typical abolitionist which is current at the South. The radical Garrison, reputed head of the moral movement, was not necessary to its ultimate success, rather it was conservatives of New England, the Middle States, and the West that furnished the practical brains and sinews of war and turned what might have remained a mere moral crusade and philosophic propaganda, important though this was, into political anti-slavery, effective as an organic process in current events rather than as philosophic propaganda. The theory of impelling the South by "moral suasion" or the force of *organized outside opinion to self-action* was *impracticable and as little* understood perhaps at the South as the real conditions of slavery were understood at the contemporary North; but abolitionists, though beyond the Underground Railroad accomplishing little to mitigate or limit slavery, convinced the North that slavery "was not only harmful to the South but contrary to their own interests", and in laying hold of the positive principle of free discussion as opposed to the southern plea for silence and *laissez faire* they had an immense advantage in the controversy.

Aside from a sometimes too literal following of authorities where opinion rather than fact is stated, Professor Hart has given us the best general description and study of the social and moral aspects of the American slavery controversy that has yet appeared.

J. C. Ballagh.

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John Sherman. By THEODORE E. BURTON. (Boston and New York: Houghton, Mifflin and Company. 1906. Pp. vi, 449.)

THERE has been a reasonable expectation that this new life, published in the *American Statesmen* series, would add materially to the knowledge of the character and career of Sherman, but unfortunately this hope is disappointed. If the author had access to private papers and letters, there is little evidence in this volume. Disappointment is the more keen because there are many passages in Sherman's life which require explanation for a clear understanding of the course of political events. The work is more a financial history than a biography of Sherman; as a history of taxation, national banking, silver, and government indebtedness, it is a sober and careful presentation; but pages, if not chapters, follow in rapid succession with hardly a reference to Sherman's influence on the life of his time. In many ways it is simply a condensation of Sherman's own *Recollections of Forty Years*, lacking, however, the frank and open judgments of men and motives which Sherman freely expressed. Possibly the author was overwhelmed by the mass of historical matter so near to his own life-time, and felt the necessity of arranging it in an orderly narrative; if so, he has done it at the sacrifice of personal detail. In this the book does not bear favorable comparison with Stanwood's *Blaine*, published in the same series. If these biographies are to win appreciation they must rely upon the assumption that the reader has acquaintance with the historical events of the period, and it is therefore to be hoped that in the succeeding volumes of the series, the authors will not feel the obligation of a restatement of national politics, but will devote a larger share of the necessarily limited space to a portraiture of character and to the molding influence of these characters upon these general policies. For example, pages 88–106 cover an account of the financial legislation of the Civil War with not a single reference to Sherman; in chapter VI., containing twenty-five pages of taxation, loans, and the national banking system, there are eighteen pages in which Sherman's name does not appear even by indirect reference; and in succeeding chapters on the Reconstruction period, at least two-thirds might with equal propriety be included in any volume of general history of post-bellum conditions.

Too often when Sherman is brought upon the stage, it is through long quotations from speeches taken from the *Congressional Record*. In vain one looks for any account of Sherman's reported activity in seeking Southern delegates for the presidential nomination; or, for an analysis of the complications in Ohio politics which perplex the general reader and make it difficult to understand the varying fortunes of the statesmen of that commonwealth. It is not idle curiosity or desire for amusement on the part of the reader to wish for more quotations from correspondence like the one given on page 296. In 1880 Sherman wrote: "The nomination of Arthur is a ridiculous burlesque, and I am

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afraid was invited by the desire to defeat the ticket." Possibly it is too early as yet to publish much of Sherman's correspondence, but a gleaning of the newspapers would have given a large amount of color which could be justifiably used in the preparation of a biography. As a history of national politics in the last quarter-century, the volume is highly creditable. Criticism is directed against the editorial plan of the publishers rather than to individual shortcomings of Mr. Burton.

DAVIS R. DEWEY.

Life of Edward H. Rollins: a Political Biography. By JAMES O. LYFORD. (Boston: Dana Estes and Company. 1906. Pp. viii, 547.)

THE subject of this biography was a prominent figure in the political life of New Hampshire from 1854 to 1884. Although he early entered upon a business career and served as treasurer of the Union Pacific Railroad during the most critical years of its history, the scope of this volume makes its sub-title, *A Political Biography*, accurate. Edward H. Rollins was the efficient organizer of the Republican party in New Hampshire, the way for which had been prepared by John P. Hale, Amos Tuck, and their Free Soil associates, and the successful manager, as chairman of its state committee, of its campaigns for twenty years. Endowed with keen political instinct, talent for organization and leadership of men, he rose to the highest political honors of his state, being successively speaker of the New Hampshire legislature, member of Congress for three terms (1861–1867) and United States senator (1877–1883). The portrayal of his life reveals a practical politician of much strength with some of the defects of his class and a legislator who served well his day and generation.

The story of such a career naturally includes a brief account of each of the political campaigns in New Hampshire from 1855 to 1883, sketches of the chief actors in both parties and the part played by each, and as the author says, "has afforded opportunity for collecting and preserving facts connected with the political history of New Hampshire for this period, which, except for a work of this kind, are not likely to be gathered together". The addition of this material gives the book its largest value for most readers, and makes it in effect a narrative history of New Hampshire politics during the generation named. The campaigns described are of more than local interest. New Hampshire, the home of President Pierce, wrested from Democratic control in 1855 by the Know-Nothing coalition under Rollins's leadership, long remained a doubtful state. Further, its election, held annually in March until 1878 and so the first of the year in any part of the Union, made New Hampshire a pivotal state. Hence both political parties sought to win this election for its national effect, and these compaigns were fought largely on national issues. One result of this almost constant

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political struggle and the nearly even division of the voters between the Republican and Democratic parties was to intensify political feeling as perhaps in no other New England state, and explains the exceptionally strong party organizations of New Hampshire during that period.

The numerous sketches of the political friends and opponents of Mr. Rollins have been penned with charity, and some perhaps disclose fewer wrinkles and warts than the actual faces of these battling politicians revealed to their contemporaries. The brief sketch given on page 44 of Ruel Durkee, who is popularly assumed to have been the original of Jethro Bass, one of the chief figures in Winston Churchill's famous novel, *Coniston*, is of especial interest.

Scant reference is made to the political ethics of the period, and the reader will regret the omission of a fuller statement of the policies of the two great contending parties during these eventful years. Occasionally extracts from the resolutions of their respective conventions are quoted, and it may be suggested that an appendix reprinting the party platforms in full from 1856 to 1886 would be a more valuable document than that giving the names of the members of the state committees of those parties which forms Appendix 2. The author has made use of the best sources, Senator Rollins's letter-books and correspondence, the official records of the Republican state committee for the years 1858, 1859, 1860, from which interesting extracts are made (see "Votes", "laying assessments for campaign expenses upon Congressmen and state judges", pp. 80–87), newspaper files and legislative documents. His style is clear and graceful, and skill is shown in the selection and arrangement of salient facts, as well as due sense of proportion. It is the only book which has thus far appeared which gives a clear, orderly and accurate narrative of the political life of New Hampshire during this important epoch, and by his painstaking labor Mr. Lyford has made a distinct contribution to the history of the state.

JAMES F. COLBY.

The American Nation: A History. Edited by ALBERT BUSHNELL HART. Volume XX. *The Appeal to Arms.* By JAMES KENDALL HOSMER, LL.D. (New York and London: Harper and Brothers. 1907. Pp. xvi, 354.)

The American Nation: A History. Edited by ALBERT BUSHNELL HART. Volume XXI. *Outcome of the Civil War.* By JAMES KENDALL HOSMER, LL.D. (New York and London: Harper and Brothers. Pp. xiv, 352.)

THESE books might bear more felicitous titles. "Appeal to Arms" suggests the mere opening of the war, and "Outcome" the end or the results. "The Civil War, Volume I." and "The Civil War, Volume II." would tell exactly what the works contain. Each volume has an introduction by the editor and a preface by the author. *The Appeal to*

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Arms, in twenty-one chapters, covers the history through Gettysburg and Vicksburg; *The Outcome*, eighteen chapters, brings us to the end. The chapter-division is original and true to the matter. Relatively more attention than in most histories of the period is paid to Civil War politics, finance, social conditions, and diplomacy, and to naval operations on inland waters, all of which subjects are ably discussed. The style throughout is clear and vivacious. Each volume has a well-made index, also a critical essay, constituting a chapter, on authorities. This Civil War bibliography is probably the most valuable extant. We miss in it no document worth mentioning unless it is *Pickett and his Men*, by Mrs. Pickett. The maps look bare but are really the clearer for this paucity of detail. A few lucid plans to each great battle, like those in Mr. Ropes's war books, would much improve Mr. Hosmer's accounts.

They need such aid the more since in them appears the sole important literary blemish which these pages betray, a certain appearance of fullness tending to make readers think they understand a battle when in fact only a sketch or a compend is intended. Either a little more amplitude or the same or greater brevity distinctly avowed would add value to the exposition. The defect referred to is illustrated by the description of Second Bull Run. The unknowing reader quite misses the rationale of this brilliant and scientific battle and thinks of Lee as simply "pitching in". Such a false appearance of fundamentality extends to a few other discussions, like that of the origination of the war in chapter I. of *The Appeal to Arms*. No satisfactory aetiology of the secession movement is disclosed here or anywhere in the book.

Yet Mr. Hosmer's history must be pronounced critical. He writes from the sources and in the light of the best comments. He utilizes his material well and uses it with care. He hardly ever betrays bias, Trojan and Tyrian alike receiving due praise and due blame. Lee, Grant, Sherman, and Sheridan are appreciated yet shown not to have been infallible either as commanders or as men. Refreshing fairness marks observations upon Halleck, McClellan, McDowell, Buel, Joseph E. Johnston, and Longstreet, each of whom it has been the fashion in certain circles to belittle or to vilify. One would have welcomed similar appreciation for D. H. Hill, so "tenacious of his battle" at Antietam. In Schofield, too, our author does not see quite all there was. The victor of Franklin, Sherman's right hand in North Carolina, he calls just "a good soldier", by profession a teacher, like Garfield and J. L. Chamberlain. To his credit Hosmer espies in Nathan B. Forrest "some of the qualities of a great commander", though in calling him "probably the only very conspicuous Confederate who came directly from private life", he for the moment forgets John B. Gordon. Pope receives a kindly word, his lamentable manifesto, so unworthy of a capable leader, being represented as "drafted under the dictation in substance, of Mr. Stanton; and one sees in the background the figure of Ben Wade, chairman of the Committee on the Conduct of the War,

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and other similar impetuous spirits, fuming over the catastrophes that had come to pass, and dinning into the ears of the new general their demands for an able and aggressive course".

Touching references are made to poor, brave Hood. "It throws an interesting light upon the men with whom we are dealing to read that a few days before his death, as they were riding together, the bishop (Rt. Rev. Lieut-Gen. Leonidas Polk) was told by his fellow lieutenant-general, Hood, that he had never been received into the communion of the church, and be begged that the rite might be performed. The bishop arranged for the ceremony at once—at Hood's headquarters, a tallow candle giving light, the font a tin basin on the mess-table. The staff were there as witnesses; Hood, 'with a face like that of an old crusader', stood before the bishop. Crippled by wounds received at Gaines's Mill, at Gettysburg, and at Chickamauga, the warrior could not kneel, but bent forward on his crutches. The bishop, not robed, but girt with his soldier's belt, administered the rite. A few days later (Joseph E.) Johnston was baptized in the same simple way. Now the bishop's time had come: June 14, while reconnoitring on Pine Mountain, a Federal cannon-ball struck him full upon the breast and his life of devotion was ended."

As a piece of historical work Mr. Hosmer's performance will rank high. It possesses every one of the historical merits usually named and is an invaluable accession to Civil War literature. Nearly every chapter thrills the reader with the most intense interest. At a few points, however, slight changes would make the statements more acceptable.

Only the most positive evidence can justify so much as the suggestion that Stonewall's tardiness at Cold Harbor was owing to his refusal to march on Sunday. Cooke, Henderson, White and Dabney explain otherwise. Hood led Stonewall's van, eager as always for fight. Had a "camp meeting" held him back he would surely have remembered and recorded the fact. Stonewall fought at Kernstown on a Sunday, where he was the attacking party.

The troops of Buford who met Heth (*Appeal*, p. 289) the first day at Gettysburg were *west* of the town rather than *north*. Heth was marching from Cashtown.

The account of Southern society at the outbreak of the war (*ibid.*, p. 7) minimizes too much the middle class of whites. The border states in particular contained many white men in moderate circumstances owning perhaps a few slaves each, also some land, whom no one ever thought of as "poor whites".

The spectacled Massachusetts corporal just from college (*ibid.*, p. 11) and the Arkansas sharpshooter who "had probably never seen a city and could read and write only imperfectly" were not to any extent typical Northern and Southern soldiers. Take the two armies as wholes, West and East, the South had scarcely any appreciable su-

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periority in marksmanship or other backwoods talent. City boys predominated in but very few Northern regiments. In most others a majority of the soldiers had from early years used firearms, ridden horseback, and often slept in the open at night.

General Cox's strange judgment disparaging West Point training as a preparation for Civil War officers seems to us unworthy even of notice. The author gives it considerable attention though in the end he refutes it thoroughly enough. If some of Forrest's operations and the capture of Fort Fisher be excepted, hardly a piece of work by a civilian general in all the war was brilliant or decisive. Cox is no doubt right in deeming the course at old West Point narrow and shallow but he undervalues the *esprit* there imbibed. .

While Mr. Hosmer sets forth with remarkable fullness the Confederacy's military and naval doings, paralleling those of the Union to an extent leaving nothing to be desired, its internal and civil history is not presented in a detail at all comparable with that allowed the corresponding phases of history on the side of the North. Southern war legislation and diplomacy, the acts and attitudes of Southern states and statesmen, party leanings and squabbles, and other such topics, receive rather scanty consideration. Paucity of material partly accounts for and justifies this, but there would seem to be a further reason, a word or two upon which shall end this review.

Though meant to be perfectly fair, as we have said, and in nearly all particulars actually fair, what Mr. Hosmer has written is a Northern history after all. To his credit as a patriot he cannot wholly forget that he wore the blue. His soldier passion has cooled, while life and study have broadened his mind and his sympathies. Generous, thoroughly informed, honorable, never intentionally or reprehensibly partizan, still it is only with effort that he succeeds in carrying his point of view across Mason and Dixon's line. He can use the word "rebel".

The work under examination, therefore, while an excellent record so far as it goes and on the whole the best Civil War history yet written, is too little objective to serve as the final history of that war. We do not go so far as to demand that this great episode in our national life be written upon as a mere phase of biology, yet we shall never present it quite triumphantly till we both see and feel that the secession movement was, no less truly than the spirit and measures frustrating it, a logical outgrowth of our constitution, a result which our history and conditions rendered inevitable. Passion did not originate it, and even if it had done so the nature and power of that passion would still remain to be explained.

E. Benj. Andrews.

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Reconstruction in North Carolina. By J. G. DE ROULHAC HAMILTON. (Raleigh, N. C.: Edwards and Broughton. 1906. Pp. 264.)

THE work under review is the latest published result of those investigations in the field of Reconstruction history which were begun some years ago under the direction of Professor Dunning of Columbia University. If carried to completion Dr. Hamilton's promises to be one of the most useful of those studies. In North Carolina as in other Southern states the Reconstruction can be explained only after an examination of ante-bellum and Civil War conditions, so in this work Dr. Hamilton has first given a summary of political conditions before 1865, with special reference to the development of the secession movement and to the rise of a peace party during the war. The second chapter is devoted to an account of the two attempts at reconstruction during the war—one by natives from within, the other an attempt by President Lincoln to set up the Stanley government. Social and economic conditions at the close of the war are also described in order to complete the background of the Reconstruction. The remainder of the book is devoted to a detailed history of the "Johnson" government, its overthrow by Congress, and the inauguration of the new régime under the Reconstruction Acts. The volume closes with the second coming into power of Governor W. W. Holden in 1868, leaving for later treatment the working out in North Carolina of the congressional plan of Reconstruction.

In making this study the author has evidently exhausted the material relating to his subject. He has used not only the stock sources, but it seems that he has made an examination of practically all of the newspapers of the state, and of the manuscript archives of the state—a source that none of those who have previously worked in the Reconstruction field have been able to explore. To the reviewer it appears that the use of these sources has been careful and the interpretation judicious. The material has been digested and condensed in order to avoid overloading the text with details. A more extended use of the correspondence in the better Northern newspapers would have given sidelights upon conditions in North Carolina that could not be had from local newspapers.

A work of this kind must, of course, go again over ground already partially explored by previous workers on similar subjects. The marked originality of Dr. Hamilton's treatment consists in its being an account of affairs in North Carolina, a state of the Upper South which had its own peculiar problems, distinct from those of the Lower South which have been already described. In North Carolina the problem of the negro, for instance, was far from being as grave as in the Lower South. This allows other factors to become more important and makes possible a marked political division of the whites before, during, and after the war. Dr. Hamilton does his best work in his treatment of

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the shifting of political parties and leaders during the decade before 1868. A similar work must be performed for each other reconstructed state before a clear understanding of Reconstruction and of present politics can be had.

Some points are worthy of special mention: the author emphasizes the continuing influences of the ante-bellum rivalry of Whig and Democrat; the curious fact is clearly brought out that some of the radical secessionist leaders not only soon wanted peace, but later strongly opposed negro suffrage and finally became leaders of the negro party—W. W. Holden of North Carolina and F. J. Moses of South Carolina are types; the conservatives, largely Whigs, effected secession at the last, fought the war, formed the "Johnson" governments, and later organized the Democratic party—so that in North Carolina even more than in other Southern states the present Democratic party rests on a Whig foundation.

In criticism of the work little can be said. The influence of secret societies in forming the negro party was, as the author says, important, yet this point is not developed; in discussing the number of North Carolina troops in the Confederate army (p. 35) the total enrollment is given, not the number of individuals; and since there was such a close relation between the number of negroes in a community and the politics of the whites in that locality, it would have been well if the author had shown more clearly the differences between the black and the white counties, especially since the geographic, social, and political sectionalism of North Carolina was more complicated than that in other Southern states. However, it is possible that in the second volume these matters are to be dealt with, and the neglect of them in this volume does not prevent it from being the most useful treatment of state politics during the period.

WALTER L. FLEMING.

The Philippine Islands, 1493–1898. Edited by EMMA HELEN BLAIR and JAMES A. ROBERTSON. Vol. XXXIX., 1683–1690. Vol. XL., 1690–1691. Vol. XLI., 1691–1700. Vol. XLII., 1670–1700. Vol. XLIII., 1670–1700. Vol. XLIV., 1700–1736. Vol. XLV., 1736. Vol. XLVI., 1721–1739. (Cleveland: The Arthur H. Clark Company. 1906, 1907. Pp. 303, 473, 324, 313, 319, 313, 331, 376.)

VOLUMES XXXIX.–XLIII. of this series, so far as their documents follow the strict chronological order, are occupied with the last two decades of the seventeenth century. More space in these five volumes is occupied, however, with extracts from missionary chronicles covering practically the entire second half of that century, and with appendices giving ethnological descriptions of the Filipinos in general and of the relations of the Spaniards with the Moros, including documents coming down to the last years of Spanish rule in the Philippines.

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The narration of Dampier, concluded in volume XXXIX., falls properly under this last head. Dampier is not very reliable as to Philippine geography, but his accounts of the Magindanaos and of the inhabitants of the Batanes Islands, among both of which peoples he and his companions stopped for some time, are interesting throughout, and contain points of value for ethnologist and historian. The fifty-page appendix on "Moro Pirate Raids" in volume XLI. is excellent for its abstracts and its condensed bibliographical information. In this connection, the map (*circa* 1700) of Magendanao (Mindanao) by Fakynolano, elder brother of the Sultan, reproduced from the original in the British Museum, deserves notice. The selections from Friar Combés (1667) in volume XL. deal with the natives of the southern islands, and especially with the Moros. Combés's work is valuable as a history of Spanish operations in the Moro territory, but he is an untrustworthy guide as to the customs of the people, lacking totally the spirit or interest of the scientific observer. The annotations here drawn from Blumentritt and Retana (both of them strangers to Mindanao and the Moros) and from Father Pastells are never of much value and are often unreliable. The nineteenth-century letters from Jesuit missionaries in Mindanao, printed in volume XLIII., are of interest but of scant scientific value. This volume's appendix contains 65 pages reprinted from the *Narrative* of Lieutenant Wilkes, commander of the United States Exploring Expedition of 1838–1842, this extract dealing especially with Sulu and the first official relations of the United States with that archipelago. In a foot-note on page 187 is reproduced the English text of Lieutenant Wilkes's treaty with the Sultan of Sulu regarding the treatment to be accorded to ships and traders from the United States.

The "ethnological appendices" which occupy nearly all of volumes XL. and XLIII. deal mainly, however, with the Filipinos of the Christianized provinces. Of the authorities here translated or abstracted, the Jesuit Colín (1663) easily leads. It must be remembered, however, that he wrote a century after the conquest, and moreover he rarely indicates to the reader whether he is testifying as to primitive Filipino civilization, customs, etc., from his own observations or from the writings of earlier chroniclers. The extracts from Friar San Antonio (1738) are valueless on this score, being a mere jumble of data drawn from Plasencia, Colín, Combés and others. Likewise the review of the peoples of the Philippines by Friar Zúñiga (1803) is remarkable chiefly for being fantastic. It is interesting to compare (volume XLIII.) the similarity of the Filipino superstitions described by Friar Ortiz (1731) with those shown to be still persisting, even in central Luzon, by a Filipino writer of 1905. Friar San Augustín's famous letter (1720) on Filipino characteristics is well presented, with both sides of the subject brought out in comments and selections from the Jesuits, Murillo Velarde and Delgado, and others, in volume XL.

The friar-chronicles here translated and abstracted are: Recollect

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history, 1661–1712, by Father Assis (compared as to Mindoro and Zambales missions, with the later history of Father Concepción); Augustinian history, 1670–1700, by Father Díaz; and Dominican missions in Zambales, Pangasinan and Kagayan, 1669–1700, by Father Salazar. Among these, Father Assis easily leads as a historian, and his compilation contains a good fund of miscellaneous information, shedding light upon religious and ecclesiastical conditions, Spanish administration and trade, and even upon the life of the people. Few and far between are such items given by the tedious Father Díaz, chronicler of chapter happenings, and, even as abstracted, one must regard the space he occupies as in great part wasted.

Among the various documents in strict chronological order, those in volume XXXIX. presenting the contest of Archbishop Pardo (1681–1689) with civil authorities and ecclesiastical seculars, and those in volume XLII. presenting the controversy over Archbishop Camacho's attempt to enforce episcopal visitation of the friars' parishes, are of prime importance; and they have been well presented and annotated. The Pardo controversy is of interest as a contest not over principles, but over personalities in the main, and because it reveals the state of jealousy between civil and ecclesiastical authority, between regular and secular ecclesiastics, and among the orders themselves. The Camacho controversy involved an important principle, which was not, however, decisively settled in practice till later in Philippine history.

Volumes XLIV.–XLVI. are taken up for the most part with the continuation of Alvarez de Abreu's *Extracto Historical*, bringing the history of Philippine commerce down to 1736, and the translations and compilations regarding education in the Philippines throughout the entire period of Spanish rule. Among the documents which carry along the chronological record, the letter of Master-of-Camp Santisteban (1730) is what the modern editor would call a document of "human interest", though its revelations of Philippine politics and trade as affected by cliques and intrigues in Spain, Mexico, and the islands themselves furnish material for the historian only upon the sordid side of man's nature. If the story of Governor Bustamante's assassination were to be reproduced, one would wish to see both sides quite fully presented; here we have only the glossed-over accounts of the archbishop, of a Jesuit, and of the Augustinian friar, Concepción. Yet the abstract of this period from Concepción's history only tells us that he "gives the principal items of revenue and expenditure at this time" (1718); one would prefer to have that "budget" from Concepción, with only a bibliography, if space failed, of the Bustamante scandal. At any rate, Montero y Vidal's account of this episode should have been mentioned.

The *Extracto Historial* of Alverez de Abreu is a work of prime value; and a service has been performed by its reproduction in this series. It sheds light on the details of the galleon trade, on Spain's bad economic policy, the failure to develop Philippine internal trade and resources

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(only 30,000 *pesos* yearly of Philippine products being sent to Acapulco about 1720), the question of the *situado*, or subsidy from Mexico, etc. Still we do not get exact details on the system of government bookkeeping as between Mexico and the Philippines. We do learn that the net payments in cash from the Mexican treasury to the Philippine treasury ranged from 73,000 to 93,000 *pesos* annually during the years 1723–1731.

The appendix on "Education in the Philippines", occupying most of volumes XLV. and XLVI., forms, together with documents previously published in this same series, and with its very carefully prepared bibliographical data and annotations, by far the best treatment of that subject available in any work. In fact, there is no other comprehensive treatment of this subject to compare with it. It is a most praiseworthy piece of editorial work.

JAMES A. LEROY.

MINOR NOTICES

Mr. Garret Chatfield Pier has issued the first part (University of Chicago Press, 1906, pp. 23, 21 plates) of a catalogue of his collection of Egyptian antiquities. The catalogue will extend through several volumes. The antiquities catalogued in this part have been acquired by the author since 1897. They consist chiefly of domestic implements and ornaments, and notably of seals, the development of which, in their various forms and materials, is here traced and illustrated. In the plates the most remarkable pieces of glazeware are colored, and the attempt is made to reproduce the softened tones of their present condition. The stone implements figured in the catalogue are representative specimens from a large collection, the majority of which are Fayum surface finds. A specimen of every common Fayum type, and a few of the more unusual forms, are given. The provenance of some of the antiquities is unknown, and in the case of many others, information on this point is confined to the statements of dealers and Arabs.

The Roman System of Provincial Administration to the Accession of Constantine the Great. By W. T. Arnold, M.A. New edition, revised from the author's notes by E. S. Shuckburgh, Litt.D. (Oxford, B. H. Blackwell, 1906, pp. xviii, 288.) The merits of this work are too well known to need mention here. No one has described in so concise, attractive and trustworthy a fashion as Arnold has done the functions of the general and local governments in the provinces, the strong and the weak points of Roman rule, the development of imperial policy, and the influence of expansion upon domestic politics. It remains for us here merely to note the changes which have been made in the book for the new edition, and to consider whether it reflects our present knowledge of the subject. So far as the body of the text is concerned it is essen-

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tially a reprint of the first edition. A few foot-notes have been added, and some of the old ones enlarged, but even in this matter the policy of the editor has been very conservative, as one can see by reading page 101, note 1, or page 150, note 5. It was a great loss to scholars that Arnold did not live to revise his work in the way in which he probably would have wished to revise it. He could have given us a more adequate treatment of the provincial budget, of the administration of justice, of the army in the provinces, of the imperial cult, and of the importance of the concilia. More to be regretted still is the editor's failure to study the great system of Roman military roads, and to make such a résumé of the work of the Limes commissions in Germany and Austria as Kornemann has lately drawn up (*cf. Klio*, VII. [1907], pp. 73–121) in his article on *Die neueste Limesforschung im Lichte d. römisch-kaiserlichen Grenzpolitik*. The work in the main is thoroughly trustworthy, but the chapter on taxation needs careful revision. The *patrimonium Caesaris* and the *res privata principis* (pp. 208–209; p. 208, n. 1) should not be identified. The senate probably did not lose its control of the *aerarium Saturni* until well into the imperial period (p. 215). Egypt did not belong to the emperor's *patrimonium* (p. 128). In the opinion of the reviewer the uprisings in different parts of the Empire in the third century A. D., and the establishment here and there of independent or semi-independent governments do not find a sufficient explanation in the ambitious hopes of aspirants for the throne. Sectional, national, or racial tendencies must be taken into consideration. We do not yet know when the separation of civil and military functions in the provinces took place, but it was the result of a gradual development, which can probably be traced farther back than the reign of Aurelian (p. 172). The following slight errors may be noted: p. 47, read *B. C. 197* for *B. C. 179*; p. 70, *Roman* for *Rome*; p. 78, *effectively* for *effectually*; and p. 125, *instrument against him* for *instrument against them*. The forms Raetia, Dyrrachium, and Gaius are preferable to those used in the text. Mr. Shuckburgh has prepared an index, a map, and a bibliography for the revised edition.

FRANK FROST ABBOTT.

The Quest for a Lost Race. By Thomas E. Pickett, M.D., LL.D. [Filson Club Publication No. 22.] (Louisville, John P. Morton and Company, 1907, pp. xxiii, 229.) This work was first printed, in connection with the Home-coming of Kentuckians at Louisville in 1906, in a leading Kentucky journal. It is reprinted now, as the twenty-second number of the *Filson Club Publications*, in a revised and expanded form. The paper centres about Du Chaillu's theory that the English-speaking people of today are of Scandinavian and Norman rather than of German origin. Dr. Pickett is not indeed a strenuous advocate of this theory; the tenor of his work is rather that of a semi-serious discussion intended only to divert the reader. An appendix contains an alphabetical series of Norse, Norman, and Anglo-Norman names copied from ancient records in England.

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Dr. Joyce's larger *Social History of Ancient Ireland* appeared in 1904 and was discussed in the ninth volume of this REVIEW (p. 775). The book now in hand contains a briefer presentation of the same general material. By omitting nearly all references, and by closely restricting quotations from documents and discussion of disputed points, the author has reduced the original work to a third, or less than a third, of its bulk. But the abridgment follows the plan of the longer treatise and covers the same ground. Scholars who wish to make a critical study of the material, or to test the validity of the sources of information, will naturally consult the complete edition. General readers or elementary students, on the other hand, will find in the single smaller volume a good description of early Irish civilization as it is portrayed in the native literature or as traces of it have been preserved in productions of the ancient native arts. All phases of the life of the people, both public and private—government and laws, religion and education, the arts of war and peace—are included in the survey. The shorter work like the longer is freely illustrated with maps and drawings and excellent reproductions of many objects of artistic and archaeological interest.

Certain criticisms which were made with reference to the larger work hold true in equal measure of the abridgment, though they are perhaps less fairly urged against a popular production. There is, from the nature of the case, no advance in the comparative study of the institutions treated; and the critical analysis of sources is still less adequate than it was before. This latter fault may fairly be deplored in a book addressed to the lay reader, where the clearest possible distinction should be drawn between legendary matter and trustworthy history. It would have been easy, without sacrificing much space, to make the reader better aware of the unequal authority of the different sources followed by the author.

Exception might also be taken here and there to individual statements. The identification of *Bél* with the Phoenician *Baal* (p. 121) was questioned in the review of the earlier edition. The date of the *Liber Hymnorum* is certainly put too early on page 222. The total denial of human sacrifice in Ireland (p. 119) is rather too positive, though evidence for it is scanty. (*Cf.* Dr. Kuno Meyer in *Eriu*, II. 86.) But the multiplication of these objections is not worth while, and the errors (assuming them all to be such) do not greatly impair the value of the book as an account of early Irish life. If the description is a little idealized—and this idealization is somewhat more apparent in the simple and dogmatic narrative of the shorter work—the exaggeration may have its value in counteracting in the popular mind the traditional, and far more erroneous, impression of the savagery of the "wild Irish".

The Lombard Communes: A History of the Republics of North Italy. By W. F. Butler, M.A., Professor of Modern Languages, Queen's College, Cork. (New York, Charles Scribner's Sons, 1906, pp. 495.) This

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is a welcome addition to the small number of books written in English concerning medieval municipal history. It gives a good general survey of the early relations of the cities of Northern Italy to the counts and bishops who ruled over them, the rise and development of the Lombard communes in the eleventh and twelfth centuries, their dissensions and leagues, their conflicts with the German emperors, and the rise of the tyrannies and the downfall of municipal liberty in the valley of the Po during the thirteenth and fourteenth centuries. If Professor Butler had devoted more attention to the growth of communal institutions, his book would be more valuable. For example, the third chapter, which deals with the rise of the communes, does not penetrate deeply into the origins of city government; nor do the later chapters give detailed information regarding the development of the civic constitutions or the position of the gilds in the evolution of the municipal polity. Moreover, in the early chapters too much reliance seems to be placed upon older writers, like Leo and Hegel, and the recent literature of the subject is inadequately presented to the reader. The author seems to share the opinion of an English local writer who regards foot-notes as "an aid to bewilderment". In fact, there are few references to authorities, primary or secondary. The book is not a work of research, based upon the original sources; but it is scholarly and well written. There is, indeed, no other book in English which covers the ground so satisfactorily.

Le Comté d'Anjou au XI^e Siècle, par Louis Halphen (Paris, Picard, 1906, pp. xxiv, 428.) Few periods of French history, perhaps, in recent years have been more minutely studied than that of the early Capetians. The seed sown by MM. Luchaire and Pfister has brought forth an hundredfold since 1884, the year of the appearance of the former's notable *Institutions Politiques de la France sous les Capétiens directs*. The point of application, however, has somewhat changed, and today the emphasis is upon local history. Yet the field is still vastly unexplored. M. Halphen modestly remarks that however imperfect his book may seem to be, it will not have been written in vain if it stimulates other scholars to make minute studies in the local history of France elsewhere.

The introduction consists of a careful survey and estimation of the sources and authorities of the period under consideration, in the course of which the work of Miss Norgate is somewhat severely judged. M. Halphen particularly objects to her treatment of territorial questions (p. 95) and her judgment of Fulk Rechin "comme un soldat sans courage et un prince sans esprit de suite" (p. 176).

The work is divided into two parts, the first treating of the territorial development of the county of Anjou and its early administrative organization; the second deals with the particular work of Geoffrey le Barbu and Fulk Rechin. The institutional history of Anjou, to the reviewer, seems to be far the most valuable portion of the volume. In this development, the church, especially the regular clergy, had a large

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part (p. 81). It is not without significance that it coincides in time with the rising power of the Cluniac order, which came at the phenomenal hour when the church in northern Gaul was at its lowest point owing to the ravages of the Northmen and the invasion of the sanctuary by the power of feudalism (pp. 82 ff.). The new movement—M. Halphen calls it *rénovation*—was remarkable for the depth, grandeur, and permanence of the forces engaged; it was a veritable renaissance of its kind. Raoul Glaber, in allusion to the new structures rising up over France, like white samite in their freshly carved stone, says that it seemed to snow churches.

The process of institutional development in Anjou in the eleventh century was identical with that which characterizes the history of the Capetian monarchy from Robert the Pious to Louis VI. The Angevin counts intensively developed their power by waging relentless war upon the swarm of petty barons who infested the land. "Comme celle de Louis le Gros, leur vie ne fut qu' une longue lutte contre les barons; lutte non pas intermittente . . . mais une lutte sans relâche et poursuivie jusqu' à la victoire définitive" (p. 204). But as in the Ile-de-France in the eleventh century, so in Anjou, the counts were not so utterly devoid of forces in their favor (aside from the church) as is ordinarily supposed. One of the most valuable parts of M. Halphen's study is his treatment of local institutions. The persistence of Carlovingian local forms, of course not in a complete, yet in a fragmentary way, is admirably established. The lamented Maitland has somewhere observed that lichen and moss will survive storms that fell the oak; in the present instance some of the humbler features of Carlovingian institutional history are shown to have survived the forces that whelmed the *missi dominici* in ruin (pp. 107, 108). Six appendices and a catalogue of the acts of Fulk Nerra, Geoffrey Martel, Geoffrey le Barbu, and Fulk Rechin conclude the book, and form nearly one half its body. In the list of additions and corrections the date of the capitulary of Servais, erroneously given as 953 instead of 853 in the note on page 1, is not amended.

JAMES WESTFALL THOMPSON.

M. L. Halphen's *Étude sur les Chroniques des Comtes d'Anjou et des Seigneurs d'Amboise* is an exhaustive study of the relation between the *Gesta consulum Andegavensium*, the *Liber de compositione castri Ambasiae*, and the *Gesta Ambasiensium dominorum*. Mabille was the first scholar to make a serious study of these sources, in 1871. The present study is a fine example of synthetic criticism. M. Halphen shows that these three sources of Angevin history were not arbitrarily composed nor confused by copyists, but that they have an intimate association. The *Gesta Ambasiensium dominorum* was composed in part with the aid of the *Gesta consulum Andegavorum*; the author of the *Liber de compositione castri Ambasiae* adopted the preface of the *Gesta*. The result of this research is double. In the first place, the elements that

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entered into each composition, and the authors of each are established; in the second place, the order of each of them is demonstrated.

J. W. T.

The Golden Sayings of the Blessed Brother Giles of Assisi. Newly translated and edited, together with a Sketch of his Life, by the Rev. Fr. Paschal Robinson, of the Order of Friars Minor. (Philadelphia, The Dolphin Press, 1907, pp. lxiii, 141.) In the Franciscan order there existed from an early date a school of asceticism remarkable at once for elevation of thought and vivacity of expression. Of this twofold characteristic, one of the best exemplifications is this collection of sayings, which is ranked by the Bollandists at the head of its class. Giles was of the first company of St. Francis and outlived him thirty-five years. To him, as a link between the first and second generations of Franciscans, many of the younger members of the order resorted for advice after the death of its founder, and Giles's replies to such inquiries are the genesis of this collection. Giles himself was unlettered, and the identity of the collector, or collectors, is unknown. The collection existed, in manuscript, as early as the thirteenth century, and it was first printed, in Latin, at Mainz in 1463. Notwithstanding the mention by Sbaralea of an English translation supposed to have been issued at Douai in 1633, the present volume appears to be the first English edition. The *Golden Sayings* themselves are of historical value as illustrating the spiritual side of early Franciscan teaching, an aspect hitherto inadequately recognized; and historians will appreciate especially the editor's scholarly introduction.

Select Statutes and Other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I., edited by G. W. Prothero, Litt.D., Honorary Fellow of King's College. Third edition. (Oxford, Clarendon Press, 1906, pp. cxxv, 490.) This standard and indispensable work now appears in a third edition. The changes are few. One statement in the introduction has been modified, and six documents have been added in the appendix. The pagination of the body of the book remains unchanged in the three editions.

None of the new material is here printed for the first time. Mr. Lingelbach has made us familiar with the Charter of the Merchant Adventurers, 1564. There is a Letter of Marque of the year 1585, with two accompanying papers, which throw light upon the half-piratical methods of reprisal in vogue among reputable governments during the Elizabethan age. The Minute Book of the Dedham Classis, 1582-1589, throws light upon the introduction of Presbyterianism into England. The striking similarity between these "conferences" and the "exercises" authorized in the diocese of Peterborough in 1571, three years before Queen Elizabeth suppressed "those vain prophecyings", makes clear how short the step would have been in those early years to com-

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the method of collecting statistics on the growth of enclosures and the decay of towns.

The value of this collection to the serious student of American history can hardly be over-estimated. It contains a rich treasure of concise and accurate information upon all phases of the structure of English society at the beginning of American settlement. Whether one wants a general idea of some important institution, or facts bearing upon some point of detail, there is no single volume for the period which compares with it in richness of content. With no great labor in piecing the fragments together, one can get a complete view of the essential features of the structure and organization of the English Church. By simple reference to the index one will find something short and illuminating upon such a subject as indentured servants, or the care of the poor. Though ecclesiastical doctrine does not fall strictly within its scope, I do not know where to find a better brief statement of the doctrines of the Independents than on page 223, or of early Puritan demands than on page 191.

The long introduction is not the least valuable part of the book. It offers a general view of such topics as the organization of Parliament, the relations of Parliament to the Crown, the arbitrary courts, the rise of Puritanism, penal laws against the Puritans and the Roman Catholics, the judiciary, the army, and the navy.

G. J.

De Republica Anglorum. A Discourse on the Commonwealth of England. By Sir Thomas Smith. Edited by L. Alston, Christ's College, with a preface by F. W. Maitland, LL.D., Downing Professor of the Laws of England. (Cambridge, University Press, 1906, pp. liii, 210.) This treatise is a famous work, and yet not accurately known. A Latin translation has been mistaken, even by scholars, for the original text. The present volume is a reprint of the first edition, published in 1583, eighteen years after the work was written and six years after the author's death. Smith was the first Regius Professor of civil law at Cambridge; and he was appointed secretary of state under Somerset in 1548, and again, under Elizabeth, in 1572. In scholarship, law, and religion, he was on the side of reform. In this treatise his breach with medievalism appears by his ignoring all connection between theology and politics. On the other hand, the editor maintains that Smith's position as a forerunner of the modern view of parliamentary, as against royal, supremacy, has been exaggerated, Mr. Alston's opinion being that Smith's oft quoted statement on that point is qualified distinctly in the succeeding sentences. In fact, to Smith, with his legal bias, the constitution of a commonwealth consists practically of its courts; and it is only as parts of the judicial system that the King and Parliament receive, in this treatise, attention. In addition to these and other points, Mr. Alston discusses the use made of each other's writings by Smith in this work and by Harrison in his *Description of England*; the balance

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of evidence appears to verify Harrison's statement that the borrowing was mutual.

The Rise and Decline of the Netherlands. A Political and Economic History and a Study in Practical Statesmanship. By J. Ellis Barker. (New York, E. P. Dutton and Company; London, Smith Elder and Company, 1906, pp. xiv, 478.) This volume is a political pamphlet on a large scale rather than a serious exposition of political events. The purpose which induced Mr. Ellis Barker to consult over 2,000 works in Dutch, German, French, English, Italian, and Spanish, was to draw a lesson for Great Britain to profit by. As a preliminary step he sketches the story of the rise of the Netherland countships and duchies in the northern portion of the Austrian-Spanish realm, their revolt, the union of the seven confederated states, and their entrance into European politics as an important factor. In spite of his wealth of authorities, the conception of the actual train of events is not sound. It is hardly worth while to point out the many minor errors because, perhaps, they do not affect the truth of the general conclusion to which all the argument tends, namely, that the United Netherlands suffered material injury from the prevalence of sectional jealousy in her national councils.

Mr. Barker considers that Great Britain and her colonies to-day are in a similar position to that occupied by the United Netherlands and her distant possessions in the eighteenth century. From her own past, England has nothing to learn, but the history of her neighbor is full of information. Her danger signals may avert disaster if they be heeded in time. The author advocates a strong central government, a powerful military organization, and above all a subordination of commercial to state interests.

"The Dutch Oligarchs had allowed the huge economic fabric of the Netherlands to rest precariously upon a single pillar—foreign trade. That pillar rested on foreign soil. Foreign nations naturally took advantage of that position. They sawed through the pillar, brought down the economic edifice and divided among themselves the fragments of Dutch prosperity." This is the condition that Great Britain is urged to avoid. Her strength is not commensurate with her possessions as all national strength should be. Her strength has been dissipated in the pursuit of a policy profitable to the few only.

The volume closes with a fervent appeal to Great Britain to wrest herself from her state of chronic mis-government and to save her people from the sufferings that the shrinkage of a nation entails. The over-abundance of quotations, apt and inapt alike, are wearisome and weaken the argument which contains some wheat to a large proportion of chaff.

A reprint of Peacham's *Compleat Gentleman*, with an introduction by C. S. Gordon, has been issued in the "Tudor and Stuart Library" (Oxford, Clarendon Press, 1906, pp. xl, 261.) Henry Peachman, the

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son of a clergyman, sometime rector of Leverton in Lincolnshire, was born near St. Albans in 1576. As the tutor of the sons of the earl of Arundel and of others of the English nobility, he travelled considerably on the Continent and enjoyed, for a time, comparative prosperity, but in the years before and during the Civil War, Peacham was forgotten by influential friends and died, presumably in poverty, in 1644. The *Compleat Gentleman* was printed first in 1622, and appeared, during the next forty years, in various revised and enlarged editions. It is a record of the manners of the Cavalier gentry before the Civil War, and it enjoyed the esteem of the courtiers of the Restoration. Its Puritan counterpart was Braithwaite's *English Gentleman*. Peacham was a survival of the best of the Renaissance, who believed, with the courtiers of Elizabeth, in the gentleman born, and in learning as the fountain of the graces. The themes of his book range accordingly from nobility in general to geometry and music, and even to the humble art of fishing; and his avowed purpose in it was to rescue young gentlemen from the common education, which was, according to him, "to weare the best cloathes, eate, sleepe, drinke much, and know nothing".

A more recent issue of the same series is a reprint of Sir Fulke Greville's *Life of Sir Philip Sidney*, with an introduction and notes by Nowell Smith, late Fellow of New College (Clarendon Press, 1907, pp. xxxii, 279.) Greville was a kinsman of Sidney and Essex, and a favorite of Elizabeth, of whom he was a devoted adherent. His *Life of Sir Philip Sidney* was first published by an unknown editor in 1652. Although the work is the first authority for some well-known stories of Sidney, it is not a regular biography. Greville's primary object in the work was to dedicate his poems to his distinguished kinsman, who was long since dead. This dedication developed into a treatise, of which much the greater part consists of reflections on the political problems of Elizabeth's reign and Sidney's views concerning them, and on Elizabeth's methods of government.

The Shirburn Ballads, 1585-1616. Edited from the MS. by Andrew Clark, Honorary Fellow of Lincoln College. (Oxford, Clarendon Press, 1907, pp. viii, 380.) The MS. from which the bulk of this volume is taken is preserved in the library of the Earl of Macclesfield at Shirburn Castle, Oxfordshire, and is a contemporary manuscript copy of Elizabethan and Jacobean ballads, which were originally printed in black-letter and issued in the perishable form of broadsides. The appendix of the volume contains some supplementary ballads from the Bodleian MS. Rawlinson poet. 185. While many of the ballads here printed are found—although frequently in the form of later exemplars—in the *Roxburghe Ballads* and the other great collections, yet a number appear to be unique specimens.

The editor deserves much praise for the pains he has taken to make this book serviceable to the student of Elizabethan social conditions.

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In introductory notes based largely on the hitherto unsearched papers of the Essex borough of Malden, he cites facts which further illustrate the social questions referred to in the ballads, prove their historical accuracy, and "suggest that the incidents recorded in them were of everyday occurrence". Some of the ballads record historical events—the death of the Earl of Bedford in 1585; the Spanish sack of Calais, 1596; Essex's Irish campaign, 1599; Elizabeth's anniversary, 1600; the execution of Essex, the campaign in the Netherlands, and the Spanish invasion of Ireland, 1601; and the accession of James I., 1603. Other ballads allude to the grievances of the poor against the rich, including their loss of common rights; others censure the evil customs of the age, voicing the Puritan ideals of Sabbath observance, etc.; others refer to the trial and punishment of criminals; two contain the admonitions of a father and mother to their son, who is to be apprenticed to a weaver; while many pieces both grave and gay, although throwing no light on institutions or social conditions, yet have an interest to the historian as indicating the temper of the times.

Souvenirs et Fragments pour servir aux Mémoires de ma Vie et de mon Temps par le Marquis de Bouillé (*Louis-Joseph-Amour*) (1769–1812). Volume I. 1769–Mai 1792. Publiés pour la Société d'Histoire Contemporaine, par P. L. Kermaingant. (Paris, Alphonse Picard et Fils, 1906, pp. 511.) The editor of this volume has taken his task very lightly, confining his efforts chiefly to "seeing it through the press". The investigator who would use the text critically can look for little help from the editor. Information concerning the manuscript of the work, date of composition, and even essential details upon the life of the writer, must be grubbed out of the text, for the volume contains neither preface nor introduction.

The author of the *Souvenirs* was the son of the Marquis de Bouillé, who is known to fame in connection with the disastrous flight of Louis XVI. to Varennes. The son, also, had a part in that affair. Bouillé, the younger, was born in 1769 and died in 1850. An examination of the text shows that the writing of the *Souvenirs* could not have begun earlier than 1827 (Bouillé quotes, page 121, from a work published in that year); it was finished in August, 1828. It is possible that the writing did not begin before 1828. To attribute to a single year the inception and conclusion of the writing of this stout volume seems not unreasonable, if the manner of composition is taken into account. Although the book consists chiefly of the personal experiences of Bouillé, he did not depend wholly or even chiefly upon memory for his knowledge of the past. He had in his possession "des fragments, des notes, des observations", contemporary with the events described, letters written by himself and by others to him, and, finally, he had previously published a *Vie privé* of Henry of Prussia (1806) and an account of the flight of Louis XVI. (1823). These fragments he arranged chronologically and, to use Bouillé's own words, "Je les ai liés par quelques

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détails sur ce qui me concerne". The *Mémoire sur l'affaire de Varennes* is reprinted in full (pp. 176–283), all passages of the original manuscript suppressed in 1823 being restored. At times the matter suppressed was only a phrase, at others it amounted to a page or more, and contained matter of considerable importance. For the most part, it consists of criticisms of Louis XVI. and of his brothers, or touches matters concerning them that it would not have been wise to publish in 1823. The publication of the complete text of the *Mémoire* would be a sufficient justification of the appearance of the *Souvenirs*.

For the student of the Revolution familiar with the printed sources of the period, the *Souvenirs* of Bouillé will not offer many revelations of first-rate importance, although the stray bits of information, the pen sketches of distinguished persons, the unpublished letters, his peculiar relations with the emigrant princes and with Gustavus III. (Bouillé was in Sweden at the time of the king's assassination), his very point of view are things that have their value for the investigator. On his return from Sweden after the king's death, Bouillé visited the king of Prussia and received a message for the princes at Cologne. The first volume closes with a vivid description of the frigid reception met with at the court of the emigrants, a reception so cold that it was only with the greatest difficulty that he delivered his message.

FRED MORROW FLING.

Recollections of James Anthony Gardner, Commander R. N. (1775–1814). [Publications of the Navy Records Society, volume XXXI.] Edited by Sir R. Vesey Hamilton, G.C.B., Admiral, and John Knox Laughton, M.A., Litt.D. (Printed for the Navy Records Society, 1906, pp. xx, 287, 4.) This volume differs in many respects from most of those issued by the Navy Records Society. Of history, as commonly understood, it contains little. The author lived in a critical time, and shared in some stirring naval incidents, but his account of them is meagre; and the interest attaching to his *Recollections* is entirely personal and social. Of the crude life in the naval service in his time, the book is a telling picture. Gardner, himself the son of a commander in the navy, was born in 1770. He first shipped in the *Panther* in 1782; he quit the sea in 1802, and died in 1846. From 1802 to the peace in 1814, he held land appointments in the navy; and after sixteen years on half-pay as lieutenant, he was placed on the retired list with the rank of commander in 1830. His *Recollections* were written in 1836, and corrected slightly in later years. The present edition is from a manuscript in the possession of his grandsons.

Die Weltwirtschaft. Ein Jahr- und Lesebuch, unter Mitwirkung Zahlreicher Fachleute herausgegeben von Dr. Ernst von Halle, Professor an der Universität Berlin. I. Jahrgang, 1906; III. Teil. *Das Ausland.* (Leipzig und Berlin, B. G. Teubner, 1906, pp. 281.) A characteristic feature of this projected annual review of the world's in-

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dustry is its judicious combination of statistics with textual comment and explanation. The review is by countries; and by reason of the difficulties inseparable from the inception of an enterprise, the reports from South America are, in this number, fragmentary, while those from Portugal, Central America, the West Indies, and parts of Africa, fail entirely. The review gains in variety and interest from the freedom allowed to each contributor in the method of marshalling his material and facts. The policy of the publication is to secure, as far as possible, reports on each country from its own citizens. For the United States Professor Emery, of New Haven, contributes, in the present volume, the general review, and the reports on economic policy, on the principal industries, and on export trade; the reports on agriculture, and on labor and capital are, respectively, by Professors Taylor and Commons, of the University of Wisconsin; while that on banking and exchange is by Professor Morton of Yale University. The report for the British Empire with the colonies, including a retrospect of earlier periods not given in the case of other countries, is contributed by Professor Hewins, of the Tariff Commission, London. No general summary of all countries is attempted in this volume.

A Conspectus of American Biography. Compiled by George Derby. (New York, James T. White and Company, 1906, pp. 752.) This volume, though half its pages are filled with other matter, is primarily the index volume to the *National Cyclopaedia of American Biography.* The "other matter" is of various sorts, though chiefly consisting of official lists. Besides extensive lists of officials of the Federal government during its history, there are such lists as these: governors, United States senators, and chief justices of the several states, presidents of American colleges and universities; also officials of a great variety of organizations. Indeed a glance at some of the pages would incline one to believe that no organization, convention, or conference had been omitted. A further examination, however, leads to the conclusion that there are sins of omission as well as of commission. Likewise in the list of preeminent Americans, there is some darkness surrounding the reason for inclusion and exclusion and classification. The selection of notable sayings and sentiments of famous Americans will strike many persons as being haphazard, particularly as regards the proportions of space allotted to the respective worthies. Yet the volume will be found useful for reference.

The volume of Professor Jameson's *Original Narratives of Early American History* (New York, Charles Scribner's Sons, pp. 411, 2 maps) devoted to the Spanish explorers in the southern portion of the United States, prior to 1543, is made up of the narrative of Cabeza de Vaca, the Gentleman of Elvas's account of De Soto's journey, and Castañeda's history of the Coronado expedition. The translations are those with which students have long been familiar, although care has

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been taken to compare these with the original texts, resulting in the improvement of some passages, and the restoration, so far as this is now possible, of the native names to the form recorded by the actual explorers.

The Introduction and Notes to the De Soto narrative are by Mr. Theodore H. Lewis, and to the remainder of the volume by Mr. Frederick W. Hodge of the Bureau of American Ethnology. Mr. Hodge has been able to identify a considerable number of Indian localities which had puzzled earlier writers who have dealt with the journeyings of Cabeza de Vaca, while his frequent visits to the Southwest have given him a familiarity with the country traversed by Coronado's followers which long ago placed him in the position of authority regarding the route of that expedition. Mr. Lewis has also won a position of very nearly equal rank as a court of last resort in matters relating to the much less easily followed route of De Soto, by his contributions to the *Publications of the Mississippi Historical Society*. His notes to Professor Jameson's volume are a most useful summary of the results of his personal examination of a large part of the territory through which the inland discoverer of the Mississippi River must have wandered.

G. P. W.

Luis Gonzales Obregón has gathered together under the title *Los Precursores de la Independencia Mexicana en el Siglo XVI*. (Paris and Mexico, Bouret, 1906) various details and extracts from documents bearing upon the tendencies to separation from Spain evinced during the first half-century of the life of the colony of Mexico. On stray episode in connection therewith is the application of the "water-cure" to extract from one of Cortés's family a confession of participation in an alleged conspiracy to set up a separate government in Mexico. This work would be more valuable if these early symptoms of a desire for separation from Spain had been traced down to the actual revolts of the nineteenth century. Various essays (among them, one by Ferdinand Blumentritt) have been written upon the tendencies toward separation displayed from the first among the colonies of Spain in America, but the subject is one which lacks a comprehensive treatment.

José Luis Blasio, one of Emperor Maximilian's private secretaries, has written a gossipy account of his relations with Louis Napoleon's puppet and victim under the title *Maximiliano Intimo: Memorias de un secretario particular*. (Paris and Mexico, Bouret, 1906.) Much of it is trivial, some passages violate good taste, but it presents on the whole a pleasing picture, with some new details of Maximilian's private life, also reproducing some little known letters bearing on events at the time of his execution.

The English author of a recently published biography, or rather panegyric, of General and President Diaz quoted considerably from what was alleged to be the "private diary" of Díaz kept during the

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years of his military career, and opened for the exclusive benefit of this writer. The quotations were really from reminiscences of Díaz's military career related by him to one of his friends a score of years ago, and privately published by the latter. Their circulation has been limited, and the publication of extracts from them in this English biography seems to have inspired a reproduction in Spanish of selections from the reminiscenses, together with what is termed "an essay in psychological history", *viz.*, the anonymous author's rather prolix interpretations and interpolations, *Porfirio Díaz (Sept. 1830-Sept. 1865), Ensayo de Psicología Histórica.* (Paris and Mexico, Bouret, 1906.) We are given the hint that, for some reason or other, the reminiscences will probably never be made public in their entirety, at least in their original form. But the anonymous author partly promises to conclude the biography from the year 1865.

From Trail to Railway through the Appalachians, by Albert Perry Brigham, Professor of Geology in Colgate University (Boston, Ginn and Company, pp. 188) is an interesting, unpretentious effort to correlate, within a space suitable for youthful students, the geography and history of the eastern United States. The author, without underrating physiography, is of the opinion that geography in the schools should return somewhat to human interests. Beginning his narrative with Boston and the Berkshires, Professor Brigham passes in turn to the valleys of the Mohawk and Hudson, Delaware, Susquehanna, Ohio, and the Great Valley and mountains of Virginia and the South. With anecdotes and with illustrations, many of the features and much of the life, past and present, of these regions, are presented in a form suitable to the readers for whom the book is designed. The narrative avoids the precise divisions of a text-book. Roads and the westward movement are its main topics; and the geography is not taught formally, but is interwoven with the story.

In connection with the bi-centenary celebration of the birth of Franklin, Dr. Julius F. Sachse has issued *Benjamin Franklin as a Free Mason* (Philadelphia, 1906, pp. viii, 150). The work, compiled at the request of the Masonic Grand Master of Pennsylvania, is an exhaustive treatment of the Masonic side of Franklin's career. As early as 1734, Franklin was elected Grand Master of Pennsylvania. In addition to his activity in the lodges of America, he was interested also in those of England and, still more, in those of France. Franklin carefully retained all his French lodge notices and correspondence, but of the American and English, next to none can be found.

Journals of the House of Burgesses of Virginia, 1766-1769. Edited by John Pendleton Kennedy. (Richmond, 1906, pp. xliv, 372.) Proceeding backward from the Revolution, the librarian of the Virginia State Library brings out the third volume of his handsome series of the journals of the Burgesses. He seems to count it as embracing the journals of five sessions; but as his phrases are obscure and in part

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erroneous, it may be well to set forth the exact nature of the sittings of 1766–1769. A new House convened November 6, 1766, and sat until December 16, when it adjourned to March 12, 1767. On that date it re-convened, and sat till April 11, when it was prorogued. Since the interval in the winter had been due to adjournment and not to prorogation, all this constituted but one session. The second session of this assembly lasted from March 31 to April 16, 1768. It was then prorogued, and subsequently dissolved. This ended that assembly. A new House of Burgesses was elected in November, 1768, and sat from May 8 to May 17, 1769, when it was dissolved by Lord Botetourt. This, which Mr. Kennedy calls "the first session of the Assembly of 1769", was more properly the sole session of the first assembly of that year. What he calls "the second session of 1769" was the first part of the first session of a fresh assembly, November 7—December 21, 1769, for on the last-named day it adjourned, without being prorogued, till May 21, 1770, when it resumed its session, of the second part of which Mr. Kennedy gives the journal in another volume. If the editor had more completely grasped these distinctions, he would have made better work of his lists of members.

In these three sessions and a half, the Burgesses carried on some of their most important contests and discussions. What with the external conflicts aroused by the British revenue acts and the internal conflicts brought on by the defalcation of Speaker Robinson and the separation of the offices of speaker and treasurer, there was no lack of contentious matter for the training of young statesmen for an approaching revolution. Of these struggles, and of those over the Indian boundary line, with the Six Nations and the Cherokees, the editor gives an account in his introduction. It is not always clear and well written, but it embraces a number of highly interesting documents, some of which, we believe, have not before been published. It would have been instructive if we might have had a firmer treatment of the case of Speaker Robinson. In later times Jefferson and Edmund Randolph and the biographers of Henry and Lee seem to have read into the matter a legend of party contest foreign to ante-Stamp-Act Virginia. An agricultural state without violent divergences of interest will often present few traces of political party. Mr. Bryce, in his *Impressions of South Africa*, pointed out this fact in the case of the Orange Free State, and that its natural tendency is to throw power into the hands of the presiding officer of the popular assembly. This seems to be the explanation of Speaker Robinson, when coupled with the fact that he was also treasurer of the province.

Journals of the Continental Congress, 1774–1789. Edited by Worthington C. Ford. Volume VII., 1777, January 1–May 21. (Washington, Government Printing Office, 1907, pp. 374.) In Mr. Ford's seventh volume the most important matters are those connected with the Articles of Confederation and with finance. The latter is illustrated

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by many entries relating to the bills of credit of the Continental Congress and the states, loans, lotteries and prices. The conclusion of the former matter is not to be had till the journals for November appear, but its progress is shown by many entries, among the most interesting of which are the amendments presented by Thomas Burke of North Carolina, May 5. Portions of Burke's abstracts of the debates, from the *North Carolina Records* and from manuscript, are printed in the foot-notes to the records of certain days.

Naval Records of the American Revolution, 1775–1788. Prepared from the Originals in the Library of Congress by Charles Henry Lincoln, of the Division of Manuscripts. (Washington, Government Printing Office, 1906, pp. 549.) No one should suppose that the United States government possesses, indeed no one should suppose that there anywhere exists, any such body of records of the maritime warfare of the Revolution as it possesses for the warfare on land. The latter was waged in a continuous series of campaigns, each of which, however ragged in execution, had some degree of unity in plan and course. Not so the naval warfare. The efforts to establish a United States navy were unsuccessful. In view of the overwhelming sea-power of Great Britain, not only could there be no fleet-action, but before long it became apparent that individual American public vessels had but a very limited scope, and probably a brief career before them. Maritime endeavor was maintained on a large scale, but it was almost altogether confined to privateering, rich in profits, but not prolific of permanent historical record. The Library of Congress therefore, while it possesses the letter-book of the Marine Committee and its successors, the reports of various committees on naval subjects, and not a few interesting naval letters, confesses to having but a fragmentary body of material. More than half of the present volume is taken up with notes of the bonds of letters of marque, catalogued to be sure in such a manner as to bring out with extreme care and skill all the data they contain, but not capable of illuminating naval history beyond a certain degree. The other papers calendared are of more public importance, but must be supplemented by the John Paul Jones Papers, which Mr. Lincoln has already calendared in the same faithful and intelligent manner, and by the papers of Robert Morris and other uncalendared parts of the library's material. The mode of calendaring and the full index of names make the volume a guide to the careers of individuals as well as to the raw material of the naval history of the Revolution.

The Library of Congress has also undertaken the great task of calendaring the Washington Papers, *Calendar of the Correspondence of George Washington, Commander in Chief of the Continental Army, with the Continental Congress,* prepared from the Original Manuscripts in the Library of Congress by John C. Fitzpatrick, Division of Manuscripts (Washington, Government Printing Office, 1906, pp. 741). When the Library published its *Calendar of Washington Manuscripts,* in 1901,

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it had but a small collection, the great mass of his papers being then still in the custody of the Department of State. Now that nearly the whole is in the Library of Congress, a systematic attempt to make the most important portions available has been undertaken. Naturally a beginning was made with the most important of all, the correspondence of the General with the Congress from 1775 to 1783. This has been calendared in a chronological order, with a full alphabetical index, the whole, so far as a reader can judge, exceedingly well executed. The material is brought together from the various series of the Washington Papers, the Papers of the Continental Congress, and the Robert Morris Papers. There is a prefatory account of the manuscripts, a useful list of aides-de-camp and secretaries, and a series of facsimiles of their handwritings as seen in drafts among the papers calendared.

Collections of the Massachusetts Historical Society, seventh series, volume VI. (Boston, 1907, pp. xv, 472.) This is the second and concluding volume of the Bowdoin and Temple Papers, of which the first was published by the society in 1897. The manuscripts are a portion of the Winthrop Papers. The first volume ended with 1782, the present extends from 1783 to 1812, when the younger James Bowdoin died. The close relation existing between the Bowdoin family in Massachusetts and the Temple family in England brings into the first part of the volume many interesting letters illustrating the relations between the two countries in the years immediately after the peace, when the elder James Bowdoin was still living. But the best letters of this part are those which relate to the insurrection of Daniel Shays, which occurred while he was governor. The latter half of the volume is mostly occupied with the diplomatic career of the younger Bowdoin. Early in Jefferson's administration he suggested to Dearborn who, as the letters show, owed him money, that he should be appointed to London, as successor to Rufus King. He was appointed to Madrid. His health was not sufficient to enable him to go to Washington for his instructions, nor to go farther into Spain than Santander. He retired to Paris, where he remained more than two years, being joined in an unhappy union with Armstrong in the vain endeavor to obtain the Floridas from Spain through the aid of France. His own letters, made needlessly hard to read by the printing of *y^e^* instead of "the", reveal no considerable diplomatic or political talents; but there is interesting matter in the letters of his correspondents.

El Clero de Mexico y la Guerra de Independencia. [Documentos Inéditos ó Muy Raros para la Historia de Mexico, publicados por Genaro García, Tomo IX.] (Mexico, 1906, pp. 272.) This volume contains about seventy-five documents emanating from or relating to the clergy of Mexico during the period between September 24, 1810, and September 1, 1811. The greater portion of them are printed from originals now in the Museo Nacional but formerly in the archives of the archbishopric of Mexico. None of these, it seems, have hitherto been

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printed, and the volume is therefore a welcome addition to the available material on the period.

All ranks of the clergy are represented, over thirty documents coming from the parish curates. Almost without exception the documents exhibit the hostility of their authors, whether higher or lower clergy, toward the revolution then in progress. Remarkable among them is an emphatic pledge of loyalty to the Spanish government taken on October 27, 1810, by 289 ecclesiastics of the archbishopric of Puebla in a body. However, we should hardly be justified in accepting merely on the basis of this small collection of selected documents the editor's prefatory assertion that the lower clergy, "with rare exceptions", bitterly opposed the revolution. Viewed in the abstract, it would be strange if such leaders as Hidalgo, Morelos, Matamoros, Cos, Mercado, and Salazar had not a considerable following in their own class. Nor, if space were available, would it be difficult to present from documentary evidence strong indications that they had such a following. It must be remembered, too, that there were curate and friar insurgent leaders besides these more notable ones. From a careful examination of the *Colección de Documentos para la Historia de la Guerra de Independencia, de 1808 á 1821*, edited by J. E. Hernandez y Davalos, it may be seen that, within the period in question, the "loyal" clergy noted and deprecated the presence of numerous brethren among the Independents. In these documents the clergy are reported as bearing arms, encouraging the insurgents, burning edicts directed against Hidalgo, and taking part in the revolutionary local governments. A number of ecclesiastics were imprisoned in the Franciscan convent at Querétaro for complicity in the revolution; when Hidalgo's cause was waning, not a few clergy took advantage of the pardon offered by the viceroy; among the handful of men captured and taken to Chihuahua with Hidalgo were ten clergy; and in the list of suspects gathered from Hidalgo's examination there Salcedo included a number of others. And thus the citation of such indications might be extended to some length. (See Hernandez y Davalos, I. 12, 48, 74, 75, 98, 100, 105, 106, 108, 109, 111, 114, 198, 200, 216, 227, 236, 344, 346, 348, 379, 382; II. 65, 68, 70, 76, 77, 92, 93, 94, 127, 128; III. 232, 234, 235, 258, 403, 410.)

Yet, although it seems too strong to say that the insurgent curate was a rare exception, it is probably true that a large majority of the lower clergy opposed the revolution in this first stage. Señor García's volume, therefore, will be a valuable corrective to the somewhat prevalent idea that the lower, as distinguished from the higher, clergy, were quite uniformly supporters of the cause. Incidentally, the documents throw light upon numerous other phases of the revolution besides the part played in it by the clergy.

The brief editorial notes are confined mainly to geographical data.

Letters from Port Royal Written at the Time of the Civil War. Edited by Edith Ware Pearson. (Boston, W. B. Clarke Company,

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1906, pp. ix, 345.) This correspondence illustrates at first hand the Port Royal experiment with negro labor in the first stages of freedom. Port Royal, in ante-bellum days, was the name only of the island on which Beaufort is situated, but during the war it was applied, in the north, to the entire Sea Island district of South Carolina. When the Federal forces occupied this district in November, 1861, twenty-seven plantations, with their slaves, were abandoned precipitately by the planters. The writers of these letters were some half-dozen of the sixty-four volunteers from the North who were commissioned by the Federal government to take charge of the ownerless blacks. Under the supervision of these instructors, by the close of the summer of 1862, three thousand eight hundred negroes were at steady work on fifteen thousand acres of land. Many of the letters here printed are from one prominent among these instructors, Edward S. Philbrick, of Brookline, Massachusetts, who died in 1889. During the war, criticism was directed against him freely in the North for his formation of a company to purchase from the Federal government some of the abandoned plantations and for his employment of negroes on these estates. These letters present his side of the case and illustrate generally, amongst other matters, the local features of the government's disposition of these lands. The letters record, in the main, not matters political or military, but the daily experiences of the writers as housekeepers, teachers, superintendents of labor, and landowners. A few of the letters fall in the years 1866, 1867, and 1868; but the correspondence, which opens in February, 1862, closes practically in December, 1865.

The Tariff and the Trusts. By Franklin Pierce. (New York and London, Macmillan Company, 1907, pp. ix, 387.) This is a lively and forcible denunciation of the present tariff system of the United States. The vocabulary of polite malediction has been put to good service. In the author's opinion the Dingley tariff is an iniquity full of flagrant wrong; in a spirit of ardent patriotism, he endeavors to arouse his readers to an adequate sense of the grievous evils which burden the people. As the title indicates, the author finds in the tariff the chief cause for the oppression of corporate monopoly. It is here that the logic is weak; the analysis of the inconsistencies of the tariff is keen, and for the most part justified, but little evidence is given of the causal relation between the tariff and the great trusts which defy competition. Those who believe that trusts are fostered by many forms of privilege beside that gained through excessive taxation, will yet have to be convinced of the accuracy of the author's sweeping generalizations. There is an undiscriminating use of historical illustration, and by far too much weight is given to the influence of the tariff. The chapter on the tariff and public virtue is a vicious example of the practice of gathering together a few isolated cases of corruption and framing a general indictment. There is no institution in human society which can successfully withstand such a method of attack. In view, however, of the evils of the

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present tariff system, the excessive ardor of the author is pardonable, and even the most stalwart supporters of the present system of protection ought to be awakened to new reflection by an examination of the work. Many of the illustrations are fresh, and the matter is always freshly put; successive chapters deal with the relation of the tariff to shipping, to manufactures, to laborers, and to farmers. Chapter VIII., pages 248–296, is the only one which deals strictly with American history, and for this the author relies largely upon Taussig.

D. R. D.

Publications of the Arkansas Historical Association, edited by John Hugh Reynolds, Secretary. Volume I. (Fayetteville, Arkansas, 1906, pp. 509.) In 1905 the legislature of Arkansas authorized the appointment of a History Commission to prepare a report on "all extant sources of information concerning the history of Arkansas", and to make recommendations as to a permanent provision for the historical interests of the state. The present volume contains the report contemplated in the act, together with a group of historical papers. After a brief sketch of the present condition of historical work in the state, and a summary of "what other states have done for their history", the report proceeds to set forth an account of the materials in foreign, federal and state offices outside of Arkansas, and of the materials within the state. Of this account, the latter part is the more important and the more adequate, and constitutes an excellent preliminary survey of the public records of the state. Following the description of material in the state and county offices is a report on the municipal archives, unfortunately incomplete owing to the failure of officials to respond to the repeated inquiries of the commission. The report of material in private hands is especially elaborate. Here is collected all available information concerning the papers of eminent citizens of the state, the collections of libraries, collectors and writers, and the files of newspapers. Finally should be noted chapters on aboriginal and Indian remains, battlefields, and historic homes, which conclude the report of the commission and Book I. of the volume. It is a most hopeful sign that in preparing to advance the historical interests of the state, Arkansas has followed the method pursued in Alabama and Mississippi of first making a systematic survey of the historical situation in the state, both as regards activities and material.

Book II. is composed of various papers, including an account of early Arkansas newspapers, a list of general and field officers of Arkansas Confederate and state troops, and the letters of territorial Governor Izard, 1825–1827, mainly to the Secretary of War, respecting Indian affairs, printed from a recently discovered letter-book.

The Review of Historical Publications relating to Canada for the year 1906 (Toronto, Morang and Company, 1907, pp. xi, 225) follows the same lines and is of the same exhaustiveness as its predecessors. It is published in the series of *University of Toronto Studies*, the editors

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being, as heretofore, Professor G. M. Wrong of the chair of history, and Mr. H. H. Langton, librarian, in that institution. This volume is the eleventh year of the *Review*. In its production the burden of the work has fallen, as in previous years, upon the editors. They have sought, however, where available, the co-operation of other scholars both within the Dominion and without. Of contributors from the United States, Professor Chamberlain of Clark University has supplied the entire section on archaeology, ethnology, and folk-lore, and Professor Ganong of Smith College the reviews of several works on the voyages of Cartier and Champlain. Lesueur's *Count Frontenac* is discussed by Professor Henry Lorin of Bordeaux, himself the author of an excellent work on the same theme; and the review of Siegfried's interesting French study of the two races of Canada is by the Beit lecturer in colonial history in the University of Oxford, Mr. W. L. Grant.

Los Pastores. A Mexican Play of the Nativity. Memoirs of the American Folk-Lore Society, volume IX. Translation, Introduction, and Notes by M. R. Cole. (Boston and New York, Houghton, Mifflin, and Company.) The body of this work consists of the text and translation of a Spanish miracle play, which in 1891 Captain John G. Bourke saw performed at Rio Grande City, Texas, and two years later at San Antonio, Texas. The play is of interest as a survival on American soil of a form of drama which we usually associate with Europe in the Middle Ages.

The subject-matter, mostly the conversation of the shepherds on their way to Bethlehem and at the adoration of the Babe, is of very uneven literary merit and contains frequent inconsistencies, and an unexpected amount of humor. Appendices include a synopsis of a version different from that of the main text, but also performed at San Antonio as well as at Puebla, Mexico; the Spanish text of a third version played by sheep-herders in the sheep-raising district of San Rafael, New Mexico; and parallel scenes from two *autos* of the sixteenth and seventeenth centuries respectively. The introduction, notes, music of the songs, and photographs of the actors in costume add much to the value of the work.

The origin of the play is unknown, but there is reason to believe that it was "an early adaptation, made by [Mexican] priests, from certain Spanish dramas which were popular at the time". The editor points out that "the Spanish ancestors of the modern Mexicans were peculiarly fond of sacred drama", and that from the earliest times Mexican priests and missionaries used this form of theatrical performance as a means of religious propaganda.

The translated text with the music and lantern-slide illustrations was presented at a meeting of the Boston Branch of the American Folk-Lore Society in 1902.

Apuntes de Libros y Folletos Impresos en España y el Extranjero que tratan expresamente de Cuba desde Principios del Siglo XVII hasta

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1812 y de las Disposiciones de Gobierno Impresas en la Habana desde 1753 hasta 1800. Por Luis M. Pérez, A.M. (Havana, the author, 1907, pp. xv, 62, 16, vii.) This unpretending but learned pamphlet lists with true bibliographical care some 214 imprints relating to Cuban History, nearly all of which the compiler has seen in the archives of Santiago de Cuba and Havana, the Library of Congress in Washington, the New York Public Library, or that of the Sociedad Económica in Havana. The contents fall into two main sections, the one dealing with books and pamphlets on Cuba printed in Spain or in foreign countries, the other with official prints—documents, broadsides, etc. The compiler rightly emphasizes in his introduction the importance of these governmental publications for all who attempt to construct Cuban history on a solid basis. Appendices present, for similar reasons, titles of publications of the Real Sociedad Patriótica, 1792–1799, and of the Real Consulado, 1795–1800. In the introduction are several interesting paragraphs regarding Cuban bibliography.

Messrs. Ginn and Company have reprinted in two volumes (pp. 388, 438) the well-known *General History* of Professor Philip Van Ness Myers. The volumes are entitled respectively a *Short History of Ancient Times* and a *Short History of Mediaeval and Modern Times*; and they are designed for separate use as text-books in colleges and high schools. They comprise the revised text of the *General History*, with merely such changes in a few matters of detail as were necessary in order to make independent of each other the two divisions of the former book. Each volume contains an index.

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NOTES AND NEWS

GENERAL

Fredrik Nielsen, the Danish bishop and historian, died on March 24 at the age of sixty-one. Among his many historical and theological works are *A History of the Papacy in the Nineteenth Century*, in two volumes, of which an English translation was recently published by Dutton, and studies of various religious movements in England.

Dr. John Mackintosh, the author of a *History of Civilization in Scotland*, in four volumes, a volume on Scotland in the *Story of the Nations* series, and several monographs, died at Aberdeen on May 4, in his seventy-fourth year. He was a self-educated man, having been successively farm-hand, shoemaker, policeman, and stationer.

Albert Henry Smyth died on May 4, at the age of forty-four. At the time of his death he was professor of English in the Philadelphia Boys' High School, and curator of the American Philosophical Society. His chief work in the domain of history is *The Life and Writings of Benjamin Franklin*, the tenth and last volume of which has just issued from the press of the Macmillan Company.

The annual meeting of the North Central History Teachers Association for 1907 was held March 29 and 30, at Chicago. The principal address was that of Professor Edward Channing on "Teaching of History in Schools and Colleges". Professor Channing's address was discussed by Professor McLaughlin of the University of Chicago and by Dr. Dunn of the Shortridge High School, of Indianapolis. One session was devoted to a discussion of the influence of foreign elements in the population on the teaching of history and civics, the most suggestive remarks, on the whole, being those of Miss Jane Addams, head of the Hull House settlement. Professor Van Tyne of the University of Michigan presented a paper dealing with the relation between the Continental Congress and the states; Professor Trenholme of the University of Missouri spoke of the field for historical research in English history, and Dr. Pooley, of the Missouri Normal School, dealt with the causes of emigration from the seaboard to the western states during the decade from 1830 to 1840. Dr. George C. Sellery of the University of Wisconsin was elected president for the ensuing year.

At a recent meeting of the leading Cambridge historians it was determined that there be raised as a memorial to the late Miss Mary Bateson a sum to be a partial endowment of a Mary Bateson Fellow-

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ship at Newnham College, and that history shall always be one among the subjects for which it can be obtained. Dr. Whitehead and Mr. Lapsley, both of Trinity College, Cambridge, were appointed joint secretaries and treasurers.

Dr. F. J. Haverfield, the leading English authority on Roman Britain, has been appointed to the Camden Professorship vacant by the death of Professor H. F. Pelham.

Professor Paul Vinogradoff of Oxford University has been for some weeks in this country. He has lectured at Harvard, Yale, Columbia, the University of Chicago, and the University of Wisconsin.

The committee for the Berlin International Historical Congress has issued a circular preliminary to the detailed programme which will be sent out at the beginning of next year. The Congress will meet from August 6 to 12, 1908, and will be divided into eight sections: History of the Orient, Greece and Rome, Political History of Middle Ages and of Modern Times, Cultural and Intellectual History of the Middle Ages and Modern Times, Legal and Economic History, Church History, History of Art. Supplementary Branches (Archives and Libraries, Chronology, Diplomacy, Epigraphy, Genealogy, Historical Geography, Heraldics, Numismatics, Palaeography, Sphragistics). The proceedings will be conducted in the German, English, French, Italian, or Latin languages. The membership fee will be twenty marks. The executive committee consists of Dr. Reinhold Koser, director of the Prussian archives, Professors Eduard Meyer and Wilamowitz-Moellendorf of the University of Berlin. The secretary is Dr. Erich Caspar, Berlin, W. 15, Kaiserallee 17.

Under the auspices of the Société Préhistorique de France a third Prehistoric Congress will be held at Autun, in Burgundy, from August 13 to 18. The main topic of the congress will be primitive camps and fortifications, for the study of which Autun is the most important centre in France.

The Exhibition of the Order of the Golden Fleece, covering the period from 1429 till 1598, and comprising portraits, pictures, armor, medals, manuscripts, illuminations, books, etc., concerning the Knights of the Order, will begin in Bruges on June 15, and will remain open for three months.

A circular respecting advanced historical teaching in the University of London (London School of Economics) gives particulars of the courses offered by Mr. Hubert Hall, in which, during the last few years, a considerable number of American graduate students have received training. The instruction is of both a theoretical and practical character, including lectures on palaeography, diplomatic, and historical sources; the study and deciphering of medieval Latin and French manuscripts, and of vernacular and official writing to the eighteenth century; the inspection of manuscripts and books by visits to the public

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archives and libraries; and individual direction. In the seminary historical texts are transcribed and edited under the supervision of the Lecturer. Two of these texts have been published by the School and a formula book of diplomatic documents and records is in preparation. Recently Mr. Hall took a party of students to Paris to inspect the Archives Nationales and other institutions under the guidance of several distinguished French archivists and professors. Next year it is hoped to pay a similar visit to Brussels and Marburg.

Lectures on the Method of Science (New York, Frowde, 1906), edited by T. B. Strong, Dean of Christ Church, Oxford, exemplify the various methods used in diverse fields. Three of the lectures are "The Evolution of Currency and Coinage" by Sir Richard Temple, "Archaeological Evidence" by Professor W. M. F. Petrie, and "Scientific Method as Applied to History" by the editor.

The main text of Helmolt's *Weltgeschichte* (Leipzig, Bibliographisches Institut), has been completed by the issue of the sixth volume, treating of *Mitteleuropa und Nordeuropa*, up to the period of the Renaissance, which is dealt with in the seventh volume, published some years ago. A ninth volume, to be published this year, will contain some supplementary matter. A translation of the fifth volume (New York, Dodd, 1907) treats of South-Eastern and Eastern Europe.

Professor Karl Lamprecht has recently inaugurated a collection, *Beiträge zur Kultur- und Universalgeschichte* (Leipzig, Voigtländer), of which three fascicles have already appeared: *Goethe als Geschichtsphilosoph und die Geschichtsphilosophische Bewegung seiner Zeit*, by E. Menke-Glückert, *Die Entwicklung des ältesten Japanischen Seelenlebens nach seinen literärischen Ausdrucksformen*, by J. Leo, and *Die Entwicklung der allchinesischen Ornamentik* by Werner von Hoerschelmann.

Lavisse and Parmentier's *Album Historique* (Paris, Colin) has been completed by the issue of the fourth volume, which illustrates public and private life in Europe and the European colonies in the eighteenth and nineteenth centuries.

The History of Medieval and of Modern Civilization to the End of the Seventeenth Century, by Professor Charles Seignobos, is being published by Scribners.

The more recent numbers in the valuable series *Kirchenrechtliche Abhandlungen* (Stuttgart, Enke), edited by Professor U. Stutz, are a study by the Zurich jurist Dr. R. G. Bindschedler, of the *Kirchliches Asylrecht* (*Immunitas ecclesiarum localis*) *und Freistätten in der Schweiz*, a contribution to general as well as to constitutional history, in which the author pictures the conflicts between the secular and ecclesiastical powers over the right of sanctuary in Switzerland from the earliest to recent times; *Hildebert von Lavardin* (*1056–1133*) *und das Kirchliche Stellenbesetzungsrecht*, by Dr. F. X. Barth; and *Das*

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Devolutionsrecht, vornehmlich nach Katholischem Kirchenrecht, a prize work on the ecclesiastical *beneficium*, by Dr. J. Ebers.

Rev. J. N. Figgis and Mr. R. V. Laurence will shortly publish through Macmillan two more volumes by the late Lord Acton, one consisting of *Lectures and Essays on Liberty*, and the other including the hitherto unpublished lecture on the causes of the war of 1870, and papers on Wolsey, Charles II., Cavour, the Mexican expedition of Maximilian, and the American War of Secession.

The first volume of *The Research Library* to be published by Messrs. Routledge, is *The Commercial Relations of England with Portugal* (1200–1807) by Miss V. M. Shillington and Miss A. B. Wallis Chapman. A paper by Miss Shillington on "The Beginnings of the Anglo-Portuguese Alliance" appeared in the last volume of the *Transactions of the Royal Historical Society* and the work of which she is joint author is largely based on manuscript authorities in the Public Record Office and the British Museum. An appendix of documents is included.

V. S. Gowen treats of the psychological aspects of the black death, the flagellants, the dancing mania, children's crusades, lycanthropy, witchcraft, commercial crazes and religious epidemics in the *Journal of Psychology*, January, 1907, pp. 1–60. A bibliography of 113 titles is included.

A paper on *Historical Jottings on Amber in Asia* by B. Laufer is included among the Memoirs of the American Anthropological Association, volume I., part III.

The Oxford University Press has published two volumes of *Primitive and Mediæval Japanese Texts*, Romanized and translated into English by F. V. Dickins, containing material of the greatest value for the institutional history of Japan.

In the *Transactions of the Asiatic Society of Japan*, volume XXXIV., part I. (August, 1906), J. C. Hall publishes a translation of "Go Seibai Shikimoku", the magisterial code of the Hojo Power-Holders, A. D. 1232, which is the earliest of the feudal enactments of Japan and "the taproot of the whole subsequent growth of Japanese feudal law".

The account of *Japanese Rule in Formosa* (London, Longmans, 1907, pp. xv. 342) by Yosaburo Takekoshi, member of the Japanese diet, while mostly dealing with events since 1895, contains some fifty pages relating to the earlier history of the country.

The (English) Historical Association prints as Leaflet No. 4, an address by the Right Hon. James Bryce on the "Teaching of History in Schools", delivered at the first annual meeting of the Association on February 8, 1907.

Noteworthy articles in periodicals: P. Vinogradoff, *Frederic William Maitland* (English Historical Review, April); G. W. Prothero, *Fred-*

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erick York Powell (The Monthly Review, March); F. Rachfal, *Robert Fruin* (Historische Zeitschrift, XCVIII. 3).

ANCIENT HISTORY

The Nemesis of Nations. Studies in History: Ancient World (London, Dent, 1907, pp. 369) by W. Romaine Paterson is the first of a series of studies analyzing the causes of the decay of ancient, medieval and modern civilizations. This volume deals with Hindustan, Babylon, Greece, and Rome.

Messrs. Leonard W. King and H. R. Hall of the Department of Egyptian and Assyrian Antiquities of the British Museum interpret the meaning of newly-found data in a richly illustrated volume entitled *History of Egypt, Chaldea, Syria, Babylonia, and Assyria in the Light of Recent Discovery* (New York, The Grolier Society).

A History of Babylonia and Assyria from the Earliest Times until the Persian Conquest, by Mr. L. W. King, will be published through Messrs. Chatto and Windus, London, in three volumes, with illustrations after all the principal monuments of the period in the British Museum and elsewhere. The first volume, which will be ready in the early autumn, will come down to about 2000 B. C.

Dr. E. A. Wallis Budge, keeper of Egyptian and Assyrian antiquities in the British Museum, has published a monumental work on *The Egyptian Sûdân: its History and Monuments* (London, Kegan Paul, 1907, two volumes, pp. 682, 628) containing accounts of his four "missions" to the Sudan between 1897 and 1905, his explorations and those of previous explorers, and an elaborate history of the Sudan from the time of King Seneferu of the IV. Dynasty, to the present day.

Professor J. A. Montgomery has published the lectures delivered by him on the *John Bohlen foundation in a learned work entitled The Samaritans, the Earliest Jewish Sect* (Philadelphia, J. C. Winston, 1907, pp. xiv, 358). The writer presents the results of the researches of many scholars in the history, theology, and literature of this sect.

Mr. Murray announces a book by Professor Ronald M. Burrows on the *Cretan Excavations and their Bearing on Early History* which will summarize the results of the excavations which have been in progress for six years at Knossos and other Cretan sites and are being continued under the direction of Mr. Arthur J. Evans.

Professor Fred Morrow Fling of the University of Nebraska has compiled *A Source Book of Greek History* (Boston, Heath, 1907, pp. xiii, 370) for employment in secondary schools. Helpful use is made of illustrations.

The first two volumes of L. R. Farnell's *The Cults of the Greek States* appeared in 1896. The Oxford University Press has recently issued the third and fourth volumes, dealing with the worship of Ge, Demeter and Kore-Persephone, Hades-Pluto, the Mother of the Gods

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and Rhea-Cybele, Poseidon and Apollo. Another volume will follow on the worship of Hermes and Dionysus and on the minor cults.

In the *Revue Historique* of March-April, C. Jullian reviews the important works published in French in the last few years on the subject of Roman antiquity.

An English translation by Alfred E. Zimmern of two volumes of Guglielmo Ferrero's important work on *The Greatness and Decline of Rome* has been published by G. P. Putnam's Sons (1907, pp. 336, 396). These volumes cover the period from the death of Sulla to the death of Caesar. The author is continuing the work down to the break-up of the Empire.

The second volume of *The Age of Justinian and Theodora, a History of the Sixth Century* (Macmillan, 1907, pp. 365–765), by W. G. Holmes, completes the work, the first volume of which was published two years ago.

Les Arabes en Syrie avant l'Islam (Paris, Leroux), by M. René Dussaud, deals with the semi-nomad people to whom are due the Safaite inscriptions in the region southeast of Damascus, with the architectural remains on the Arabian-Syrian frontier, and with the history of the alphabet.

Noteworthy articles in periodicals: W. L. Westermann, *Interstate Arbitration in Antiquity* (Classical Journal, March); J. Beloch, *Die Könige von Karthago* (Klio, VII. 1); B. Niese, *Über Wehrverfassung, Dienstpflicht und Heerwesen Griechenlands*, concl. (Historische Zeitschrift, XCIII. 3); G. Kazarow, *Zur Geschichte der Sozialen Revolution in Sparta* (Klio, VII. 1); T. Sokoloff, *Zur Geschichte des Dritten Vorchristlichen Jahrhunderts*, IV. *Die Delphische Amphiktionie* (Klio, VII. 1); W. W. Tarn, *The Fleets of the First Punic War* (The Journal of Hellenic Studies, vol. XXVII., part 1., May 6, 1907); E. Kornemann, *Die Neueste Limesforschung (1900–1906) im Lichte der Römische-Kaiserlichen Grenzpolitik* (Klio, VII. 1); P. M. Meyer, *Papyrusbeiträge zur römischen Kaisergeschichte* (Klio, VII. 1).

EARLY CHURCH HISTORY

In the April number of the *Revue de Synthèse Historique*, M. A. Puech reviews the more important works published since 1901 relating to the history of Greek Christian literature.

A French translation of the first volume of Professor Hartmann Grisar's *Histoire de Rome et des Papes au Moyen Age*, which appeared in 1900, and has been issued only in German and Italian, has been published by E.-G. Ledos through the house of Desclée, Paris (1906, two volumes, pp. 465 and 456). The period covered is from the end of the fourth century to the pontificate of Gregory the Great. The translated text has been revised and in some points completed by the author.

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Noteworthy articles in periodicals: H. Thurston, *The Influence of Paganism on the Christian Calendar* (The Month, March); H. Delehaye, *Le Témoignage des Martyrologes* (Analecta Bollandiana, XXVI. 1); H. Moretus, *Les Deux Anciennes Vies de S. Grégoire le Grand* (Analecta Bollandiana, XXVI. 1).

MEDIEVAL HISTORY

Emancipation of the Medieval Towns (1907, pp. 69), the latest number in Professor Earle W. Dow's *Historical Miscellany* (New York, Holt), is a translation by Professor F. G. Bates and Mr. P. E. Titsworth of chapter VIII. of the second volume of Lavisse and Rambaud's *Histoire Générale*. A translation of Lavisse's *Medieval Commerce and Industry*, also from the *Histoire Générale*, is in preparation.

Genséric (Paris, Hachette) is the title of a study of the Vandal conquest in Africa and the destruction of the Empire of the West, by F. Martroye, author of *L'Occident à l'Époque Byzantine*.

Professor Imbart de la Tour of Bordeaux has published under the title *Questions d'Histoire Sociale et Religieuse: Époque Féodale* (Paris, Hachette, 1907, pp. xvi, 295) studies on the commercial immunities granted to the churches; agricultural colonies and the occupation of desert lands in the Carolingian epoch; the *coutumes* of La Réole, etc.

Professor W. Sickel of Strassburg has made a contribution to the history of the Carolingian administration in his monograph on *Der Fränkische Vicecomität* (1907, pp. 87). The last chapter treats of the viscounts of Italy.

The Seven Liberal Arts, by P. Abelson, is a study in medieval culture, published in the series of contributions to education of the Teachers' College of Columbia University (1907, pp. 150).

The Prussian Historical Institute in Rome has published the first installment of E. Goeller's *Die Päpstliche Poenitentiarie: ihr Ursprung und ihre Entwicklung bis Pius V.* (Rome, Loescher). The first volume covers the period from Innocent III. to Eugenius IV.; the first part contains an historical account, the second, documents.

Father Paschal Robinson, O.F.M., whose contributions to the history of the Franciscans have been previously noticed in our pages, is publishing, through Tennant and Ward, *A Short Introduction to Franciscan Literature*.

M. Noël Valois devotes an important article in volume XXXIII. of the *Histoire Littéraire* (Paris, 1906, pp. 528–623) to the authors of the *Defensor Pacis*.

Noteworthy articles in periodicals: N. Paulus, *Die Ablässe der Römischen Kirchen vor Innocenz III.* (Historisches Jahrbuch, XXVIII. 1); J. v. Pflugk-Harttung, *Die Papstwahlen und das Kaisertum (1046–1328)*, con. (Zeitschrift für Kirchengeschichte, XXVIII. 1); E. Bern-

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heim, *Die Praescutia Regis im Wormser Konkordat* (Historische Vierteljahrschrift, May); P. Doncoeur, *Les Premières Interventions du Saint-Siège relatives à l'Immaculée Conception* (XII^e–XIV^e Siècle) I. (Revue d'Histoire Ecclésiastique, April); G. Schnürer, *Neuere Quellenforschungen über den hl. Franz von Assisi* (Historisches Jahrbuch, XXVIII. 1); H. Niese, *Normannische und Staufische Urkunden aus Apulien, II.* (Quellen und Forschungen, X. 1); G. Arias, *Le Società di Commercio Medievali in Rapporto con la Chiesa* (Archivio della R. Società Romana di Storia Patria, XXIX., fasc. III.–IV.).

MODERN HISTORY

The Rev. J. N. Figgis will shortly publish through the Cambridge University Press a small volume on political thought from the Council of Constance to Grotius, dealing with Luther, Machiavelli, the pamphleteers produced by the French religious wars and the Venetian controversy, and the work of Althusius.

Under the title *Factors in Modern History* (London, Constable, 1907, pp. 320) Mr. A. F. Pollard publishes ten essays, mainly in the life and growth of the sixteenth and seventeenth centuries, on such subjects as nationality; the point of departure in modern history; the new monarchy; the coming of the middle class; State versus Church, etc. These studies were first given as lectures to the history teachers of London.

Messrs. James Maclehose and Sons announce the publication of an edition similar to that of Hakluyt's *Voyages of Fynes Moryson's Itinerary*, which gives an account of the social conditions prevailing in Europe in 1589–1598, but has never been reprinted in full since its original publication in 1617.

The tenth volume of *The Cambridge Modern History* (Cambridge University Press, 1907, pp. xxv, 936) is entitled *The Restoration*, and deals largely with the period from 1815 to 1845. It includes chapters on "The Spanish Dominions in America", "The Establishment of Independence in Spanish America", and "Brazil and Portugal".

Sicily and England: Social and Political Reminiscences from 1848 to 1870 is the title of a book soon to be published by Messrs. Constable containing studies of Sicilian exiles by Mrs. Tina Whitaker, the daughter of General Scalia.

Noteworthy articles in periodicals: B. Duhr, *Zur Geschichte des Jesuitenordens aus Münchener Archiven und Bibliotheken* (Historisches Jahrbuch, XXVII. 1); A. Bourguet, *Le duc de Choiseul et l'Alliance Espagnole: Après le Pacte de Famille* (Revue Historique, May–June).

GREAT BRITAIN AND IRELAND

A number of English archaeologists and antiquaries have recently organized The Manorial Society with the following objects: the compilation of an official roll of manors and of past and present lords

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and chief officers of manors; a bibliography of manorial literature, which will, together with the society's collection of manorial books and manuscripts, be open to the inspection of members and correspondents; the compilation and publication of histories of manors, and the collection of information which may serve as material for such purposes; the circulation amongst members of copies, translations, and explanations of ancient documents of interest relating to manors, and an annual report of the transactions of the society; and genealogical work. The headquarters of the society are at 1, Mitre Court Buildings, Temple, London, E. C.

During the twenty-five years since the Wyclif Society was founded for the purpose of bringing within the reach of students the works of the Reformer, which until then had existed only in manuscript, some thirty volumes have been published, dealing with scholastic logic, philosophy and theology; the abuses in the Church, and the doctrines by which these abuses were upheld; and the theory of state government. What remains to be done, though comparatively little, is of much importance. Two treatises of moderate length will complete the *Summa Theologiae*; among what remains there is a very interesting series of tracts which according to the editor, Professor Loserth, of Gratz, will throw fresh light on the relations between Wyclif and the Pope. A very few years would see the work done if the society is well supported, but it is at present hampered from want of funds. A small number of copies of most of the society's publications is still in hand, and special arrangements can be made to supply these to libraries, colleges, or other subscribers wishing to have the complete works. The Honorary Secretary and Treasurer is Miss Dorothy G. Matthew, 56, Fellows Road, London, N. W.

In the Historical Bulletin of the *Revue Historique*, for March–April and May–June, M. Charles Bémont reviews the principal recent works relating to English History.

A French translation by M. G. Lefebvre of the first volume of Bishop Stubbs's *Constitutional History of England* has been published in the Bibliothèque International de Droit Public (Paris, Giard and Brière, 1907). The work has been brought up to date by M. C. Petit-Dutaillis, who has contributed an introduction and very copious notes giving the latest results relating to the many subjects on which new light has recently been thrown.

The *Proceedings of the American Antiquarian Society* for the October meeting of 1906 contains a comprehensive account of the Roman remains in Britain, by Samuel S. Green.

The Cambridge University Press issues a collection of *Ballads and Poems illustrating English History*, edited by Frank Sidgwick and intended for use in schools.

A few years ago Mr. L. O. Pike delivered at Oxford, at the request of the Regius Professors of Civil Law and Modern History, a lecture

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on *The Public Records and the Constitution* (London, Frowde, pp. 39) which is now first published with a few slight alterations and a plan of evolution of the chief courts and departments of the government.

Sir James H. Ramsay will shortly publish through Messrs. Swan Sonnenschein and Company the third volume of his history, dealing with the reigns of Henry III. and Edward I. and entitled *The Dawn of the Constitution.*

Dr. Wilhelm Busch has almost ready for publication the continuation of his important *History of England*, the first volume of which dealt with the reign of Henry VII. The second volume will treat of the first half of the reign of Henry VIII.

Rev. W. H. Frere and Rev. C. E. Douglas have edited a volume entitled *Puritan Manifestoes. A Study of the Origin of the Puritan Revolt* (London, S. P. C. K., 1907, pp. xxxi, 155), which includes the "Admonition to the Parliament", 1572, and other rare kindred documents of Elizabeth's time.

Major Martin Hume is writing a book on *Elizabeth and Philip; or, the Whole Story of the Spanish Armada*, which will contain much new information and will form the first volume of a series, entitled *The Romance of History*, to be published by Messrs. Methuen, under the general editorship of Major Hume. The series will aim at combining the attraction of romance with the solid value of scholarly history.

A *History of English Congregationalism* by the late Rev. Dr. R. W. Dale of Birmingham, has been completed and edited by his son A. W. W. Dale, vice-chancellor of the university of Liverpool, and published by Hodder and Stoughton, London.

The English Peasantry and the Enclosure of Common Fields (London, Constable, 1907), by Mr. Gilbert Slater, forms one of the studies edited by the director of the London School of Economics and Political Science. The author aims at showing that the enclosure of the common fields has resulted in the disappearance of small holdings; and that, in at least certain parts of the country, even in comparatively recent times, enclosure has produced rural depopulation and has converted a villager from "a peasant with a medieval status to an agricultural labourer entirely dependent on a weekly wage".

A History of William Paterson and the Darien Company (London, Blackwood, 1907, pp. 284) by J. S. Barbour, formerly accountant of the Bank of Scotland, gives for the first time a connected narrative of the several expeditions to Darien. The book includes 84 pages of appendixes and documents.

The eleventh volume of *The Camden Miscellany* (London, Royal Historical Society, 1907, pp. 210) contains (1) some unpublished newsletters of Gilbert Burnet, the historian, to Lord Halifax, 1679–1680, edited by Miss H. C. Foxcroft; (2) a collection of stories—incidents in English religious life, special providences, etc.—from the papers of the

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Rev. Thomas Woodcock, a nonconformist of the seventeenth century, edited by Professor G. C. Moore Smith; (3) memoirs of Sir George Courthop (1616–1685), edited by Mrs. S. C. Lomas; (4) the Commonwealth charter of the city of Salisbury, September, 1656, edited by Mr. Hubert Hall.

A translation of Dr. A. von Ruville's *History of William Pitt, Earl of Chatham* is announced for publication by Mr. William Heinemann. The German edition was reviewed in the January number of this journal.

Dr. William Hunt, President of the Royal Historical Society, has edited from an official and contemporary manuscript a confidential document on *The Irish Parliament, 1775* (Longmans, 1907, pp. 92), probably drawn up by Sir John Blaquiere, the chief secretary during the viceroyalty of Lord Harcourt, which states under the name of each member the various offices, sinecures, perquisites, etc., given to the member or his friends, either by the late lord lieutenant, Townshend, or by Harcourt himself. This list is followed by a table of borough-owners; a general index of the members with the character of their voting; a list of the House of Lords with comments very similar to those on the Commons; a note on revenue salaries; and an appendix added by Dr. Hunt, containing some important correspondence with Lord North and the secretary to the treasury relating to the withdrawal of troops from Ireland for the American War, now printed for the first time from the state papers in the Irish Record Office, with comments by the editor.

Mr. Murray is about to publish in two volumes Mr. Charles Stuart Parker's *Life and Letters of Sir James Graham, 1792–1861*, which is based on all the family papers and documents. The correspondence includes letters from and to Queen Victoria and Prince Albert, Lord Derby, Sir Robert Peel, Mr. and Mrs. Gladstone, Disraeli, and John Bright.

Mr. Murray will publish, probably in October, *The Letters of Queen Victoria* in three volumes. The selection, which terminates with the Prince Consort's life, has been made throughout "to show the personality of the Queen, her method of approaching and deciding questions, her outlook, her sympathies, her shrewdness, her perseverance, her diligence".

A History of the County Dublin (Dublin, Thom) by Mr. F. Elrington Ball is based upon a thorough examination of great numbers of manuscript records. The fourth part, which is the last published, deals with the part of the county bordering upon County Kildare.

British government publications: *Calendar of State Papers and Manuscripts relating to English Affairs, existing in the Archives and Collections of Venice, and in the other Libraries of Northern Italy*, vol. XIII., 1613–1615; *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth, 1581–1582, preserved in the Public Record Office.*

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Noteworthy articles in periodicals: Rev. H. S. Cronin, *The Twelve Conclusions of the Lollards* (English Historical Review, April); A. O. Meyer, *Der Britische Kaisertitel zur Zeit der Stuarts* (Quellen und Forschungen, X. 1); G. B. Hertz, *England and the Ostend Company* (English Historical Review, April); W. S. McKechnie, *Thomas Maitland* (Scottish Historical Review, April); E. Dicey, *England's Purchase of the Suez Canal Shares* (The Empire Review, March).

FRANCE

In accordance with the recommendation of its committee on Archives, appointed last year, the Ministry of War has adopted new regulations very favorable to historians, concerning the communication to searchers of documents anterior to 1848, preserved in the military archives of Paris or of the provinces. Many documents of high interest, hitherto dispersed among the diverse services, have been turned over to the historical section of the general staff of the army, where they may be consulted in the ordinary manner. Inventories of the archives, of the technical sections of artillery, engineers, the army corps and of the military governments, and reports of military trials terminated before 1814 may be consulted by properly authorized persons.

The Direction of Archives has undertaken an *État Sommaire des Papiers de la Période Révolutionnaire Conservés dans les Archives Départementales*, to be completed in two volumes, embracing the papers included in class L (administrations of the department, districts and cantons).

The municipal council of Paris has decided to publish a scientific history of the city of Paris from the Gallo-Roman epoch to the time of Philip Augustus. The enterprise will be directed by MM. P. de Patchtére (Gallo-Roman epoch), R. Poupardin (Merovingian and Carolingian epoch), and L. Halphen (the first Capetians).

M. A. Grenier has published some studies on the development of Gallo-Roman civilization in a Gallic province, under the title *Habitations Gauloises et Villas Latines dans la Cité des Médiomatrices* (Paris, Champion, 1907). The volume forms fascicle 157 of the Bibliothèque de l' École des Hautes Études.

Cronique Martiniane (1907, pp. lxxix, 133), the second number in the Bibliothèque du XV. Siècle (Paris, H. Champion), is an important text for the history of Charles VII. being a continuation by John the Clerk (who was in the service of Antoine de Chabannes, one of the most important military figures of the reign) of the *Cronique Martinienne*, the French translation of the Latin chronicle of Martinus Polonus. The editor is M. Pierre Champion.

The first part of Professor F. Strowski's *Histoire du Sentiment Religieux en France au XVII^e Siècle* (Paris, Plon) covers the period from Montaigne to Pascal.

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The Vicomte G. d'Avenel's work on *Prêtres, Soldats et Juges, sous Richelieu* (Paris, Colin), deals with the social organization of the period and the relations of church and state.

Messrs. Scribner will shortly publish a translation of the *Memoirs of the Comtesse de Boigne* née d'Osmond, reminiscences of the Revolution, Empire and Restoration, of which the first volume (1781–1814) has gone through five editions in France in less than that number of weeks.

M. Ernest Daudet, who two years ago published the *Mémoires du Comte Valentin Esterhazy*, has now edited with an introduction and notes the *Lettres du Comte Valentin Esterhazy à sa Femme, 1784–1792* (Paris, Plon, 1907, pp. viii, 429), treating of social and military life in the last years of the monarchy; of Versailles and the king and queen; Coblentz and the émigrés; and the Russian court and Catherine II.

A superb album illustrating *La Dernière Année de Marie-Antoinette* (Paris, Welter, 1907) with facsimiles of sixty-three documents and prints of the period has been compiled by A. Marty. M. Maurice Tourneux has written the introduction.

A *Bibliographie de la Contre-Révolution dans les Provinces de l'Ouest ou des Guerres de la Vendée et de la Chouannerie* (Paris, Champion) is being compiled by E. Lemière.

The second part of the history of *La Campagne de 1794 à l'Armée du Nord* (Paris, R. Chapelot), which is being published under the direction of the historical section of the general staff of the French army, will treat of *Operations*. The first volume, dealing with the plan of campaign, the Cateau, and Landrecies, and embracing a large number of documents and charts, has been written by Colonel H. Coutanceau and C. de la Jonquière (1907, pp. xiii, 817).

Frédéric Masson of the French Academy has published the eighth and ninth volumes of his work on *Napoléon et sa Famille*. They treat of the abdication of Fontainebleu and of Napoleon's efforts to obtain provision for all the members of his family.

M. E. Bonnal gives an account of the military reaction during the Restoration in his two volumes entitled *Royalistes contre l'Armée* (Paris, R. Chapelot, 1906).

The French government has recently appointed a commission to undertake the publication of the documents relating to the diplomatic history of the Franco-German war of 1870–1871. The members of the commission are: MM. Aulard, Émile Bourgeois, Joseph Reinach, L. Farges and G. Mandel.

Documentary publications: É. Deville, *Cartulaire de l'Église de la Sainte-Trinité de Beaumont-le-Roger* (Paris, Roustan, 1907, pp. 500); E. Cabié, *Documents sur les Guerres de Religion dans le Sud-Ouest de la France et principalement dans le Quercy* (1516–1590) (H. Champion,

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1907); P. de Vaissière, *Letters d' "Aristocrates"—La Révolution racontée par des Correspondances Privées, 1789–1794* (Paris, Perrin, 1907); A. Stern, *Le Prince Louis Bonaparte et la Prince de Metternich en 1838* (Revue Historique, March–April).

Noteworthy articles in periodicals: A. d'Herbomez, *Philippe de Valois et la Maletôte à Tournai* (Le Moyen Age, March–April); H. Sée, *Les Classes Rurales en Bretagne du XVI^e Siècle a la Révolution*, con., (Annales de Bretagne, November); C. Pfister, *Nicholas Remy et la Sorcellerie en Lorraine à la Fin du XVI^e Siècle* (Revue Historique, March–April; May–June); J. Letaconnoux, *La Question des Subsistances et du Commerce des Grains en France au XVIII^e Siècle; Travaux, Sources et Questions à Traiter* (Revue d'Histoire Moderne et Contemporaine, March); Ph. Sagnac, *La Révolution et l'Ancien Régime* (Revue de Synthèse Historique, December); Ph. Sagnac, *Les Cahiers de 1789 et leur Valeur* (Revue d'Histoire Moderne et Contemporaine, February); Goldwin Smith, *The Lesson of the French Revolution* (Atlantic Monthly, April); I. H. Hersch, *The French Revolution and the Emancipation of the Jews* (The Jewish Quarterly Review, April); J. v. Pflugk-Harttung, *Napoleon während der Schlacht bei Belle Alliance* (Historisches Jahrbuch, XXVIII. 1); Ph. Gonnard, *Les Impressions du Comte de Las Cases sur l'Empire Français en 1812* (Revue d'Histoire Moderne et Contemporaine, February).

ITALY AND SPAIN

The Prussian and Italian Historical Institutes in Rome are together bringing out a series of *Regesta Chartarum Italiae* (Rome, Loescher). The following volumes have appeared or are in preparation: *Regestum Volaterranum* by F. Schneider; *Regestum S. Apollinaris Novi* by V. Federici; *Regestum Camaldulense, Regestum Senense* and *Regestum Massanum.*

J. C. K. Sismondi's celebrated *History of the Italian Republics in the Middle Ages* (New York, Dutton) has been entirely recast and supplemented in the light of subsequent historical research in one large, inexpensive and valuable volume by W. Boulting.

In order to determine how far the Lombard institutions were maintained or modified in Beneventum during the period from the Carolingian conquest to the arrival of the Normans, M. René Poupardin has brought together the scattered references to these institutions in his work on *Les Institutions Politiques et Administratives des Principautés Lombardes de l'Italie Méridionale. IX^e–XI^e Siècles* (Paris, Champion, 1907, pp. vii, 184). The greater part of the volume is occupied with a catalogue of the *Actes* of the Princes of Beneventum and Capua, and with *pièces justificatives.*

The *Chronicle* of Dino Compagni, translated by Else C. M. Benecke and A. G. Ferrers Howell, has been published in the series of Temple Classics (Dent, London).

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Mr. Murray announces for publication *Studies in Venetian History* by Mr. Horatio F. Brown.

The Società Nazionale per la Storia del Risorgimento Italiano, whose organization was noted in the January number of the REVIEW (p. 456), has published the *Schema di Statuto* (Milan, Lanzani, 1907, pp. 15) approved in the session of the first historical congress of the *Risorgimento* held last November.

The Reale Deputazione di Storia Patria per le Antiche Province e la Lombardia has recently initiated a new series, *Biblioteca di Storia Italiana Recente, 1800–1850*, of which the first volume contains two important studies: *Aneddoti Documentati sulla Censura in Piemonte dalla Restaurazione alla Costituzione*, by Antonio Manno, dealing with the censorship of the press in Piedmont from 1815 to 1848 and containing many unpublished documents; and *Alcuni Episodi del Risorgimento Italiano Illustrati con Lettere e Memorie Inedite del Generale Marchese Carlo Emanuele Ferrero Della Marmora, Principe di Masserano*, by Mario degli Alberti, relating to the years 1848–1849.

Mr. G. M. Trevelyan, the well-known author of *England in the Age of Wycliffe, England under the Stuarts*, etc., has published through Longmans a volume entitled *Garibaldi's Defence of the Roman Republic*, written in the brilliant style characteristic of the author, based upon a detailed study of manuscript and printed authorities, and supplied with seven maps and numerous illustrations.

MM. Ch. de Lannoy and H. Van der Linden have published the first volume of their *L'Histoire de l'Expansion Coloniale des Peuples Européens*, which won the prize offered by the king of Belgium. This first volume, *Portugal et Espagne jusqu'au début de XIX^e^ Siècle* (Brussels, Lamertin, 1907, pp. 451, and four maps), does not aim at giving a history of the colonies themselves, but deals with the phases of expansion, administration of the colonies, the economic régime, Portuguese and Spanish civilization in the colonies, and the results of civilization for the mother countries.

Professor Konrad Häbler will contribute to Lamprecht's series of *Allgemeine Staatengeschichte* a *Geschichte Spaniens unter den Habsburgen*. The first volume, *Geschichte Spaniens unter der Regierung Karls I.* (*V.*) (Gotha, Perthes, 1907, pp. 432), has already appeared.

Un Voyage d'Affaires en Espagne en 1718 (Strassburg, Noiriel, pp. 67) contains new extracts published by M. R. Reuss from the unedited memoirs of Jean Everard Zetzner, of Strassburg, and throws light on the dangers of travel, on the private life of Spain, the operations of the Inquisition, and the details of commerce and banking. Extracts formerly published from the same work appeared in brochures under the titles *Idylle Norvégienne d'un Négociant Strasbourgeois* and *Londres et l'Angleterre en 1700*.

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A history in two large volumes of *Le Règne de Charles III. d'Espagne* by M. François Rousseau, has been published by the house of Plon-Nourrit, Paris.

Documentary publications: E. Caspar, *Die Chronik von Tres Tabernae in Calabrien* (Quellen und Forschungen, X. 1); Duc de la Trémoille, *Madame des Ursins et la Succession d'Espagne: Fragments de Correspondance*, vol. VI. (Paris, Champion, 1907, pp. 388).

Noteworthy articles in periodicals: L. Jordan, *Die Renaissance in Piacenza* (Archiv für Kultur-Geschichte, V. 2); R. M. Johnston, *A Memoir of Queen Mary Caroline of Naples* (English Historical Review, April); Andrew D. White, *The Statesmanship of Cavour* (Atlantic Monthly, March, April); G. Desdevises du Dezert, *De Trafalgar á Aranjuez (1805–1808)*, concl. (Cultura Española, February).

GERMANY, AUSTRIA, SWITZERLAND

Aus der Zeit des Humanismus, by E. Borkowsky (Jena, Diederichs, pp. 250), contains studies of ten typical men of the German Renaissance, Dürer, Erasmus, Celtis, etc., and of two typical cities—Nuremberg and Augsburg.

Deutsche Kultur im Zeitalter des 30 jährigen Krieges (Leipzig, Seemann, 1906, pp. X. 464) by B. Haendcke, Professor of the History of Art in the University of Königsburg, is a contribution to the history of the seventeenth century covering a period considerably longer than 1618–1648.

Since the beginning of the year there has appeared a new series of *Studien zur Geschichte des Neueren Protestantismus* (Giessen, A. Töpelmann), edited by Dr. H. Hoffmann and L. Zscharnack. Heft 1 relates to *Die Bedeutung der Deutschen Aufklärung für die Entwicklung der Historisch-Kritischen Theologie*, by L. Zscharnack; Heft 2, *Die Ethik Pascals*, by K. Bornhausen; while later hefte will treat of *Spalding, Herder, Schleiermacher*, by H. Stephan; *Kirchenlied und Gesangbuch in der Zeit der Deutschen Aufklärung. Rationalistische Liedertexte*, by L. Zscharnack; *Die Deutsche Predigt im Zeitalter des Rationalismus*, by M. Schian; and *Kants Einfluss auf die Theologie*, by P. Kalwett. Another collection, *Kultur und Katholizismus* (Munich, Kircheim) is appearing under the direction of Professor Martin Spahn.

Mr. F. Loraine Petre, the author of a valuable work on Napoleon's campaign in Poland, now publishes *Napoleon's Conquest of Prussia, 1806* (London, John Lane, 1907, pp. xxiii, 311), which is believed to contain the first detailed account of the campaign of Jena written in English since the publication of the official documents in the French War Office.

Die Freie Presse in Sachsen-Weimar von den Freiheitskriegen bis zu den Karlsbader Beschlüssen (1907, pp. ix. 87), by Dr. Hans Ehrentreich, forms a recent number in the *Hallesche Abhandlungen zur Neueren Geschichte* (Halle, Niemeyer), edited by G. Droysen.

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Field Marshal von Loë's *Erinnerungen aus meinen Berufsleben, 1849 bis 1867* (Stuttgart, Deutsche Verlags-Anstalt) is especially valuable for the light it throws on the military situation in 1866.

Oskar v. Mitis has published the first fascicle of his *Studien zum älteren Osterreichischen Urkundenwesen* (Vienna, Verein für Landeskunde von Niederösterreich, pp. 77).

The first volume of J. A. von Helfert's *Geschichte der Österreichischen Revolution im Zusammenhang mit der Mitteleuropäischen Bewegung der Jahre 1848–1849* (Berlin, Herder, 1907, pp. xx, 536) extends to the Austrian constitution of April 25, 1848. A second volume will complete the work.

The labors of the commission on the Roman Limes in Germany and Austria are well known. In the Memoirs of the Hungarian Academy, Gabriel Téglás, who has long been studying the part of the Limes situated in Hungary, sums up the results obtained by the Germans and Austrians and appeals to the Hungarian Academy and government to interest themselves in the research.

To replace the *Katholische Schweizerblätter*, the publication of which ceased in 1905, the Swiss Catholic Association has founded the quarterly *Zeitschrift für Schweizerische Kirchengeschichte* (Stans, H. von Matt) which will be concerned with the whole of the ecclesiastical history of Switzerland. The review is published by Monsignor J. P. Kirsch and M. A. Büchi, professors at Freiburg.

Documentary publications: *Codex Diplomaticus Regni Croatiae, Dalmatiae, et Slavoniae*, IV. (1236–1255) (Agram, Trpinac, 1906); K. F. Schmidt-Lötzen, *Dreissig Jahre am Hofe Friedrichs des Grossen* [from the diaries of Count Ernst Ahasverus Heinrich von Lehndorff, court chamberlain of Queen Elisabeth Christine of Prussia] (Gotha, Perthes, 1907, pp. iv, 522).

Noteworthy articles in periodicals: R. Markgraf, *Der Einfluss der Juden auf die Leipziger Messen in Früherer Zeit*, I. (Archiv für Kultur-Geschichte, V. 2); A. Nägle, *Hat Kaiser Maximilian I. im Jahre 1507 Papst werden wollen?* (Historisches Jahrbuch, XXVIII. 1); L. Cardauns, *Zur Kirchenpolitik Herzog Georgs von Sachsen vornehmlich in Seinen letzten Regierungsjahren* (Quellen und Forschungen, X. 1); G. Guillot, *Léopold Ier et sa Cour (1681–1684), d'après la Correspondance Diplomatique du Marquis de Sébeville, Envoyé Français à la Cour de Vienne* (Revue des Questions Historiques, April); H. Oncken, *Aus den Briefen Rudolf von Bennigsens*, XXV., XXVI. (Deutsche Revue, April, May).

NETHERLANDS AND BELGIUM

The principal works relating to the history of the Netherlands published from 1902 to 1906 are reviewed by Th. Bussemaker in the *Revue Historique* for March–April.

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In No. 18 of the *Werken* of the Utrecht Historical Society, third series, Professor G. N. Kernkamp has begun the publication of the letters of John de Witt, based upon the great collection of Wittiana made by Professor Robert Fruin. The portion of the statesman's correspondence published in 1729 embraced only the years 1652–1669, and was incomplete even for that period. No. 21 (1907, pp. civ, 574) contains the *Diarium van Arend van Buchell* of Utrecht (1565–1641) including his autobiography and memoirs of the principal events of his time.

Court Life in the Dutch Republic, 1638–1689 (New York, Dutton, pp. ix, 363) is an entertaining contribution to social history by the Baroness Suzette van Zuylen van Nyevelt.

Professors L. Leclère and G. des Marez of the University of Brussels have published in the *Revue de l'Université de Bruxelles* for March–April, 1907, pp. 401–464, and in separate form, a study of the historical, professorial, and political activities of their late colleague *Leon Vanderkindere, 1842–1906*. The monograph includes a bibliography of Professor Vanderkindere's works, arranged according to subject, and thus clearly indicating the remarkable range of his interests as well as his great productivity. A collection of the minor writings of Professor Vanderkindere has recently been undertaken.

NORTHERN AND EASTERN EUROPE

A small club of scholars and bookmen, called Mikaelsgillet, has undertaken to prepare a Swedish version (the first in that language) of Olaus Magnus's *Historia de Gentibus Septentrionalibus* (Rome, 1555). The first volume of the translation has just appeared. It will occupy three volumes; a fourth will consist of illustrative notes by some of the foremost Swedish scholars.

A translation of a German book by Richard von Mach on *The Bulgarian Exarchate: its History and the Extent of its Authority in Turkey* has recently been published by Mr. Unwin.

Reports on the work of the Roumanian Academy in 1905–1906 (Bucharest, typ. Göbl, 1906, pp. 58) announce the commencement of an edition of the second volume of the *Bibliographie Roumaine Ancienne* (*1508–1830*), of which the first two fascicles cover the years 1717–1763; the printing of the first volume of the catalogue of Roumanian manuscripts; of the first fascicle of *Documents Historiques Roumains*, 154 pieces of the years 1576–1628; and of the tenth and last volume of the series of Acts and Documents relative to the history of the revival of Roumania.

The studies in diplomatic history published by P. Pierling under the title *La Russie et le Saint-Siège* (Paris, Plon, 1907) treat of Peter the Great, the Sorbonne, the Dolgorouki, the Duc de Liria and Jubé de la Cour.

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Noteworthy articles in periodicals: J. B. Bury, *The Ceremonial Book of Constantine Porphyrogennetos* (English Historical Review, April); G. Cahen, *Les Relations de la Russie avec la Chine et les Peuplades Limitrophes à la Fin du XVII. Siècle et dans le Premier Quart du XVIII.* (Revue Historique, May–June); P. Hiltebrandt, *Die Polnische Königswahl von 1697 und die Konversion Augusts des Starken* (Quellen und Forschungen, X. 1); G. Yakschitch, *La Russie et la Porte Ottomane de 1812 à 1826*, concl. (Revue Historique, March–April); A.-D. Xénopol, *Le Régne du Prince Alexandre Jean I. (Couza), traité d'après la Méthode des Séries Historiques* (Revue de Synthèse Historique, December); V. G. Simkhovitch, *History of the School in Russia* (Educational Review, May).

AMERICA

GENERAL ITEMS

Leaflet No. 4 of the American Bureau of Industrial Research is a report of work for 1904–1906. The Bureau has been engaged for the most part in locating, collecting, and classifying material bearing upon the history of industrial democracy. Not only have libraries been ransacked, but a careful search has been carried on for materials at the headquarters of trade unions, employers' associations, and the like, and also in private hands. The general survey of the field has been made by J. R. Commons. Miss Helen L. Summer has been engaged in locating the materials in libraries, while J. B. Andrews has conducted a very successful search for materials in private hands, much of which has been turned over to the Bureau. A somewhat special field, that of the Southern states, has been in charge of U. B. Phillips, who has secured much material in the way of plantation records, private correspondence, and fugitive pamphlets. A collection of the documentary material is to be printed through the co-operation of the Carnegie Institution and the University of Wisconsin.

Dodd, Mead and Company, who have had in preparation for some time a catalogue of the library of Mr. E. Dwight Church, announce for early issue as Part I. a complete catalogue of the American portion of the library. The library contains many rare volumes of Americana, including a number of works printed before 1500, and several Columbus and Vespucius letters. There are complete sets of the great collections of voyages and travels, and a large number of early works relating to New France, to Virginia, and to New England.

The Library of Congress has published a *Preliminary Check List of American Almanacs, 1639–1900* (pp. 160), prepared by Hugh Alexander Morrison of the Library of Congress. This list, says the compiler, "is a contribution toward a check list, and is put into type for the purposes: (1) Of inviting additional titles, and (2) of enabling the Library of Congress to perfect its own files". The whereabouts of copies listed is indicated when known to the compiler.

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Mr. Robert W. Neeser has in preparation, and in part ready for publication, *A Statistical and Chronological History of the United States Navy, 1775-1907*. It is in six parts: (1) administration of the Navy Department, and events and dates of reference; (2) engagements, expeditions, and captures of war vessels; (3) captures of merchantmen; (4) record of service and fate of each vessel; (5) statistical tables; (6) privateers, Confederate Navy, and state navies. An important part of the work will be a bibliography of all the publications by the government bearing on naval history, and of other printed material, and a complete inventory of the archives of the Navy Department together with an account of the naval material in other archives. Each event listed is accompanied by references to all printed and manuscript material bearing on it.

The Magazine of History prints in its January, February, and March issues a number of letters from Washington to George and James Clinton. In the January number is printed also "The battle between the Kearsarge and the Alabama", an address delivered in January 1906 before the Union League of Philadelphia, by Rear Admiral Joseph A. Smith, U. S. N., said to be the last survivor of that battle. In the February and March number A. Franklin Ross presents two installments of a paper on "The History of Lotteries in New York".

The American Historical Magazine in its March issue continues its articles on "The Van Rensselaer Family" and "The Physical Evolution of New York City in a Hundred Years". A very suggestive paper in this issue is "Some Lessons of History", by James Ford Rhodes.

Charles Scribner's Sons have just brought out, under the auspices of the Navy League of the United States, *A Short History of the American Navy*, by John R. Spears.

In the series of "Biographies of Leading Americans", which Messrs. Henry Holt and Company are publishing, the volumes on the "Leading Historians" will be edited by Professor W. P. Trent, the general editor of the series.

The annual meeting of the American Jewish Historical Society will be held at Newport, Rhode Island, July 4.

A new volume in the "Citizens' Library" (The Macmillan Company) is: *The Spirit of American Government: A Study of the Constitution—Its Origin, Influence and Relation to Democracy*, by J. Allen Smith.

The inventory of the archives of the hôpital of Honfleur, recently published in the series of *Inventaires Sommaires des Archives Départementales* (Calvados, série H, supplém., t. II.) includes an analysis of the private papers of the Lion family, an important family of privateers of this port, whose commercial correspondence is full of interest for the history of maritime relations between the principal ports of the mother-country and the French colonies of America, especially for Santo Domingo.

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ITEMS CHRONOLOGICALLY ARRANGED

The fifth volume of the series "Prehistoric America", by Dr. Stephen D. Peet, has been published (Chicago, The American Antiquarian). It bears the title: *Myths and Symbols: or the Aboriginal Religions of America.*

The prize of the Duc de Loubat for the best work published in five years on the early history of America has been awarded by the French Academy to Mr. Henry Vignaud, first secretary of the American Embassy in Paris, for his well-known work on Christopher Columbus.

A new volume in Harper and Brothers' "Heroes of America" series is *Ferdinand Magellan,* by Frederick A. Ober.

The Macmillan Company have recently issued a reprint in two volumes of Captain John Smith's *Generall Historie of Virginia, New England and the Summer Isles,* together with his *True Travels, Adventures and Observations,* and his *Sea Grammar.*

It should have been noted in an earlier issue that the Colonial Society of Pennsylvania has republished in facsimile *The American Weekly Mercury,* volume III., 1721–1722. Two hundred and fifty copies were printed, after which all of the plates and negatives were destroyed. The volume contains an index.

A recent work which treats of an interesting phase of colonial history is *Early Concert-Life in America,* 1731–1800, by O. G. T. Sonneck, chief of the division of music in the Library of Congress (Leipzig, Breitkopf and Härtel). In addition to presenting much interesting material respecting early public concerts in America, the author establishes the fact, contrary to the general belief, that concert-life was developed rather earlier in America than on the continent of Europe. The work opens with a chapter on Charleston, for, the author asserts, "New England's share in the development of our early musical life has been unfairly and unduly overestimated to the disadvantage of the middle colonies and the South."

The *Journal* of the Friends' Historical Society presents in its January issue some extracts from the letters of Edmund Peckover, written during a journey through America in 1742–1743.

The interesting article by Jonas Howe on "Major Ferguson's Riflemen—The American Volunteers", which has been appearing in installments in the *Acadiensis,* closes, in the April issue, with an account of the battle of King's Mountain. Facsimile pages are given of the diary of Lieutenant Allaire, of which much use is made throughout the article.

The Library of Congress has issued a *List of Works Relating to the French Alliance in the American Revolution,* compiled by A. P. C. Griffin. The titles are arranged under several headings, such as "Works

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relating to the French Alliance", "The French Fleet in the American Revolution", "The Siege of Yorktown". The bibliography includes United States Government documents and articles in periodicals.

The American Catholic Historical Researches in its April issue prints a list of the commissioned officers of the Navy of the Revolution, said to be a copy of the manuscript list sent to President Washington by Secretary Knox. In the same issue is considerable material and discussion bearing upon the attitude of Canada toward the Revolution. An article on "The Commodores of the Navy of the United Colonies" is reprinted from *Appleton's Magazine*.

A volume commemorative of Justice James Wilson is about to be published under the auspices of the St. Andrews Society of Pennsylvania, the Historical Society of Pennsylvania, and the North Carolina Historical Association. The volume will be an edition *de luxe*, of from 300 to 400 pages. It will include, among other things, the several tributes and addresses delivered in connection with the recent memorial services; a monograph, "James Wilson as a Political Scientist", by Professor A. C. McLaughlin, and another, "Wilson's Contributions to the Science of Jurisprudence", by James DeWitt Andrews, LL.D.; a Wilson bibliography, by Professor A. B. Hart; and a reprint of Wilson's speeches in support of the constitution, delivered during the debates in the Pennsylvania Convention.

The Buffalo Historical Society has in preparation an edition of the letters and other writings of President Fillmore.

"Leaves from my Historical Scrap Book" is the title of a book by Barnett A. Elzas (Charleston, S. C., 1907). The table of contents, as given in the prospectus, shows one or two features that should be of interest. For example: "An Index to the Historical Material in the [Charleston] *Courier*, 1855–1860", and "Newspaper references to Judah P. Benjamin".

William McKinley: a Biographical Study, by A. Elwood Corning, with introductory address by President Roosevelt, has been issued by the Broadway Publishing Company.

An interesting and valuable monograph entitled *Our State Constitutions* (pp. 98), by James Q. Dealey, has been issued as a supplement to the *Annals of the American Academy of Political and Social Science*, March, 1907. It is a comparison of constitutions as they stood at the close of the year 1905, and is intended as a guide to the study of the fundamental law of the states. The treatment is primarily comparative, but the lines of historical development, the social and political forces underlying constitutional provisions, are also pointed out.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

The Carnegie Institution has issued the first section of Miss Adelaide R. Hasse's index to the economic and administrative material contained

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in the public documents of the individual states. This first issue comprises the material relating to Maine.

The state of New Hampshire will issue about August 1, through the department of the editor of *State Papers*, the first volume of New Hampshire Probate Records, covering the period from Captain John Mason's will in 1635 to about 1720. Every will is to be printed in full, except the preamble, and followed by careful abstracts of all other documents connected with the case. The registers of Essex, Middlesex, Suffolk, and Old Norfolk counties in Massachusetts, and York county in Maine, have been thoroughly searched for New Hampshire material. The entire publication of these probate records will extend to three or four volumes, and is in the hands of Mr. Otis G. Hammond, the assistant editor. Mr. Batchellor, the editor-in-chief, is devoting his time to the second volume of *New Hampshire Province Laws*, one volume of which, covering the period from 1679 to 1702, has already been issued.

Mr. Robert T. Swan, Commissioner of Public Records of Massachusetts, has issued his *Nineteenth Report* on the custody and condition of the public records of parishes, towns, and counties. There are numerous useful suggestions in regard to the care to be taken in the making of the records as well as in their preservation. There is a circular of specific directions to city and town clerks, and another explaining the method of dating prior to 1752. An appendix contains a summary of the laws relating to the public records.

The ninth volume of the *Publications* of the Colonial Society of Massachusetts, which will contain a check-list of all the Boston newspapers from 1704 to 1790, with indication of numbers in various libraries and with elaborate notes by Mr. Albert Matthews, is now all in type. It is expected to be issued in July.

The Essex Institute Historical Collections continues in the April issue the "Salem Town Records, 1659–1680", and prints, among other things, "Extracts from the Interleaved Almanacs of William Wetmore of Salem, 1774–1778", from the originals now in possession of Hon. George Peabody Wetmore of Newport, R. I.

Mr. D. B. Updike (the Merrymount Press, Boston) announces a new edition, in two volumes, of Updike's *Narragansett Church*, first published in 1847. The new edition is being prepared under the editorship of Rev. Daniel Goodwin, D.D., and, in addition to numerous annotations by the editor, will contain much additional matter, including a large number of portraits.

Mr. Charles Warren Lippitt, formerly governor of Rhode Island, prints in a small pamphlet (pp. 38, xxx) with the title *The Rhode Island Declaration of Independence, May 4, 1776*, an address intended to prove that Rhode Island was the first colony to declare itself independent of Great Britain.

Under the title of *A Sketch of the Life and Public Services of James Mitchell Varnum of Rhode Island*, James M. Varnum of New

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York has published a pamphlet biography (pp. 42) of one of Rhode Island's Revolutionary heroes, with a bibliography. It has as a frontispiece a reproduction of the portrait of General Varnum owned by the author.

Among the manuscripts recently presented to the Connecticut Historical Society are the following: "Connecticut's Case" in the boundary dispute between Massachusetts and Connecticut about 1750; a number of letters of Thomas Fanning (1772–1783); about six hundred business letters written (1838–1848) to Edward Wessen, a manufacturer of rifles, Northborough, Massachusetts. At the annual meeting of the society, May 28, Samuel Hart, D.D., of Middletown, was re-elected president.

Olde Ulster, January to May, contains a number of interesting items of local history, besides much genealogical matter. Of the latter sort, "The Kocherthal Records" (early eighteenth century), beginning in the February issue, are of most importance. "The Newburgh Palatines" (March and April), and "The Palatine Exodus" (May), are most deserving of mention.

The "Diary of Rev. Andrew Rudman", which has been appearing in the *German American Annals*, is brought to a conclusion in the January and February number.

Following are some recent accessions to the manuscript department of the Historical Society of Pennsylvania: papers of Ellis Lewis, chief justice of the Supreme Court of Pennsylvania, 1854–1857 (commissions, letters, etc.); papers of George Bryan, president of Pennsylvania, 1778 (letters, broadsides, legal opinions, commissions); and a collection of papers of Rufus King. In the last named collection is one paper deserving of especial mention: "Plan for the Government of America, 1780".

In addition to the continuation of "Washington's Household Account Book" and "Account of Servants Bound and Assigned", the *Pennsylvania Magazine of History and Biography* for January prints some letters and documents from the "Clymer Papers". The most noteworthy article is by Hon. Samuel W. Pennypacker on "Bebber's Township and the Dutch Patroons of Pennsylvania", prepared mainly from deeds and original documents in the writer's possession. Louis Richards gives a sketch of "Hon. James Wilson at Reading, Penna.", and John H. Hazelton discusses the historical value of Trumbull's painting "The Declaration of Independence".

Part four (April) of the *Pennsylvania German*'s symposium on "German Migrations in the United States and Canada" includes "Pennsylvania German Colonies in Iowa", by D. S. Fouse; and "The Germans in Nova Scotia", by J. A. Scheffer.

There was recently presented to the Maryland Historical Society, by Mr. Richard D. Fisher, a volume of "transcripts of all the correspondence of the Eden Administration of the Province of Maryland now

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existing in the British Public Record Office and the British Dartmouth MSS." A portion of this correspondence is printed in the March number of the *Maryland Historical Magazine*. A paper of interest in this issue is: "Transported Convict Laborers in Maryland during the Colonial Period", by Mr. Basil Sollers.

Records of the Columbia Historical Society, volume X. (Washington, 1907, pp. 276), contains a biographical sketch of the once famous Ann Royall, by Miss Sarah H. Porter, and a diary for 1800, the first year of the new national capital, kept by Mrs. Thornton, wife of Dr. William Thornton, designer of the Capitol and commissioner of the federal city. There is also an illustrated account, by Mr. F. E. Woodward, of the boundary-stones of the District of Columbia.

The Bibliographical Society of America met in Asheville, N. C., May 25–28, in conjunction with the American Library Association and the National Association of State Librarians. Of chief historical interest was a symposium on "The First Presses of the Southern States". The first presses of Florida, Mississippi, and Alabama were described by Dr. Thomas M. Owen, director of the Alabama Department of Archives and History: those of South Carolina by Mr. A. S. Salley, jr., secretary of the South Carolina Historical Commission; those of Tennessee by Mr. Edwin Wiley, of the Library of Congress, formerly of Vanderbilt University.

The Southern History Association in its *Publications* for January prints two interesting letters from George Canning (1822) to Stratford Canning, English ambassador at Washington, relative to the attitude of the United States toward Cuba. There is also an interesting sketch by J. G. de Roulhac Hamilton of a secret society known as "The Heroes of America", which flourished in North Carolina for a time after the close of the Civil War. The March number prints some Sumter letters, mainly letters from General Greene to Sumter taken from Greene's letter-books, but also one letter from Sumter to Joseph Martin, December 7, 1763, from the Draper collection. An item of some interest is: "French Immigrants to Louisiana, 1796–1800", material communicated by L. M. Pérez. It is presumed that this is from the Cuban archives, but unfortunately no indication of its source is given. Additional portions of the McHenry papers (January) and the Doolittle correspondence (January and March) are given.

The *Bulletin* of the New York Public Library for April completes the list, begun in February, of works in the library relating to Virginia.

In the Historical Department of the Jamestown Exposition, directed by Mr. Albert Cook Myers, has been gathered together a remarkable collection of material relating to American colonial history. The collections for Pennsylvania and Virginia are particularly worthy of note. The latter embraces more than a thousand pieces, including many interesting autographs, documents illustrating various departments of the colonial government, local records and business papers of that period, and much Revolutionary matter.

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Among the numerous books called forth by the Jamestown Exposition is: *The Birth of the Nation: Jamestown, 1607,* by Mrs. Roger A. Pryor (The Macmillan Company).

The Virginia State Library will shortly publish a bibliography of colonial literature, said to contain more than five hundred titles of Virginiana. The fourth volume of the *Journal of the House of Burgesses* will also shortly appear, and the fifth volume a little later. These two volumes cover the period from 1758 to 1765.

Mr. David I. Bushnell has recently discovered in the British Museum the original manuscript of "A Journal from Virginia, Beyond the Apailachian Mountains in Sept. 1671", a somewhat condensed and otherwise imperfect transcript of which was printed in *New York Colonial Documents*, III. 193–197, in 1853. The manuscript journal is printed in full in the *American Anthropologist* for January–March, important variations from the transcript being indicated in foot-notes. This issue of the *Anthropologist* is mainly devoted to articles concerning the Virginia Indians. We note as of especial historical interest these: C. C. Willoughby, "Virginia Indians in the Seventeenth Century"; and James Mooney, "The Powhatan Confederacy, Past and Present".

Apropos of the Jamestown Exposition, the *Virginia Magazine of History and Biography* for April reprints from *Archaeologia Americana*, vol. IV., "Newport's Virginia's Discovery, 1607". In the same number are presented, under the caption "The Starving Time", two letters from Lord Delaware to the Earl of Salisbury, 1610 and 1611. Of especial interest is a table taken from a collection of Virginia laws *printed about 1758, showing the several assemblies that sat from 1661* to 1758. The table gives the number of acts passed, the names of the governors and the speakers, but only the beginning date of the session. A comparison of this table with that given in the report of the Historical Manuscripts Commission in the *Annual Report of the American Historical Association* for 1897 (the latter begins with 1680) shows that there were several assemblies during that period not noted in this table. On the other hand this table lists a few not given in the Report. There are also a few differences in dates.

The pages of the April number of the *William and Mary College Quarterly Historical Magazine* are mainly devoted to the publication of documents. Of new matter, the most important is "Letters to Thomas Walker Gilmer", including a letter of Charles A. Wickliffe, 1832, relative to the state-rights question, and one each from George W. Hopkins and Grenville T. Winthrop, September and October, 1841, touching the policy of President Tyler. "Explorations beyond the Mountains" is a reprint, from the *New York Colonial Documents*, of the journal of Thomas Batt (properly of Arthur Fallows) "from Virginia Beyond the Apailachian Mountains in Sept., 1671". As noted elsewhere, the original of this imperfect transcript has recently

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been found, and has been printed in the *American Anthropologist* (January–March).

The History and Government of West Virginia (third edition, pp. 518), by R. E. Fast and H. Maxwell, has come from the press of the Acme Publishing Company (Morgantown, 1906).

The legislature of North Carolina has passed an act extending the duties and powers of the State Historical Commission. The commission is to consist of three members, serving without pay, for terms of six years each. The commission is authorized to employ a secretary and to hire an office until one shall become available in the state library building. Its duties comprise the collection and custody of all archives and other public records which shall be transferred from state, county, and town offices, the preparation of a biennial report, and the editing and publication of historical documents. The transfer of these archives is not compulsory, but it is to be at the discretion of the various officials in whose custody they are at present. An annual appropriation of $5,000 is made available for the maintenance of the commission. Thus is opened the way for the development of an exceedingly valuable body of archive and other material, and the state of North Carolina is to be congratulated on the success of the efforts which have been made in its historical interests.

Charles L. Van Noppen (Greensboro) has in press the first volume of a *History of North Carolina*, by Samuel L. Ashe. The work is to be completed in two volumes and is to cover the whole period "from the days of Sir Walter Raleigh to the present time". As few state histories written on this scale have approached very near to our day, this work should prove interesting and serviceable.

A sketch of William R. Davie, by J. G. de Roulhac Hamilton, together with a number of Davie's letters annotated by Dr. Kemp P. Battle, has been published by the University of North Carolina.

The Historical Commission of South Carolina, which has the custody of all public records of the State of South Carolina save those in current use, has just issued two volumes of the early legislative journals of the province of South Carolina. Both are journals of the Grand Council, or upper house. The first covers the period from 1671 to 1680 and the second the greater part of the year 1692. These fragments of the original set of journals of the Council for the first quarter of South Carolina's history are all that are now known to be in existence. The commission is annually given, by appropriation of the General Assembly, a fund with which to publish historical materials. Other publications will follow as rapidly as they can be prepared for publication.

The *South Carolina Historical and Genealogical Magazine* for April continues its publication of the letters of Lafayette and Henry Laurens, and prints the concluding portion of "An Order Book of the 1st Regiment, S. C. Line, Continental Establishment".

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The *Fifth Annual Report* of the director of the Department of Archives and History of Mississippi has just come from the press. The report summarizes the work of the department since 1902, and describes in detail what has been done in recent months toward securing transcripts of documents in foreign archives pertaining to the territory of Mississippi. The volume contains a calendar of the "Correspondance Générale—Louisiane", 1678–1763 (pp. 61–152). As the result of Dr. Rowland's mission to Europe, copies of four volumes of the West Florida correspondence have already been received from the Public Record Office in London. The Department will publish a carefully edited volume of these important documentary materials early in 1908.

Dr. Rowland has also brought out a handbook of Mississippi history in three volumes. The material is arranged in cyclopedic form, and consists of sketches of counties, towns, institutions, and important events, and a large number of biographical sketches. In the preparation of this work extensive use has been made for the first time of the state archives.

Volume IX. of the *Publications* of the Mississippi Historical Society, edited by Professor Franklin L. Riley of the University of Mississippi, has recently come from the press. This volume of 589 pages contains the most important contributions to different phases of state history which have been completed since the appearance of volume VIII. of the series. Of the nineteen articles making up the contents of the volume we have space for the mention of only a few. "The Enforcement Act of 1871 and the Ku Klux Klan in Mississippi", by J. S. McNeilly, is a valuable chapter in Ku Klux history. "A Contribution to the History of the Colonization Movement in Mississippi", by Dr. F. L. Riley, consists in the main of the correspondence of Dr. John Ker, vice-president of the American Colonization Society and of the Mississippi Colonization Society. An interesting reprint is J. F. H. Claiborne's "A Trip Through the Piney Woods", first printed in the *Natchez Free Trader and Gazette* in 1841–1842. Another reprint is James Hall's "Brief History of Mississippi Territory", printed in 1801. An article of value because of the insight which it gives into pioneer life is Dr. Gideon Lincecum's "Life of Apushimataha", written in 1861. Other articles that may be mentioned are two on reconstruction in Mississippi, by G. J. Leftwich and W. C. Wells, and a sketch of "The Public Services of E. C. Walthall", by A. W. Garner.

In the January issue of the *Quarterly* of the Texas State Historical Association, Ernest W. Winkler concludes his paper on "The Seat of Government of Texas", tracing the steps in the permanent location of the capital, from 1837 to 1840. In the same number is "A Study of the Route of Cabeza de Vaca" by James Newton Bassett, aiming to supply an examination of materials bearing upon the location of the route which have been neglected in previous studies.

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In its April issue *The Old Northwest Genealogical Quarterly* concludes "The Autobiography of Allen Trimble".

The *Ohio Archæological and Historical Quarterly* for April has an article on "Welsh Settlements in Ohio", by William Harvey Jones. An account of the annual meeting of the society is given in this number. In the department "Editorialana" are reprinted two sermons of the Reverend Morgan John Rhys, preached before the officers and army of General Wayne, at Greenville, July 4 and 5, 1795.

We welcome the *Quarterly Publication* of the Historical and Philosophical Society of Ohio, of which the four numbers constituting volume I. (1906) have appeared. The first number (January–March) consists of the "Personal Narrative of William Lytle". The writer was a youthful emigrant from Pennsylvania to Kentucky in 1780, and was engaged in a number of expeditions against the Indians, among them the expedition under Logan against the Mac-o-chee Indians in 1786. The narrative ends abruptly in 1788, in the midst of the so-called "Grant's Defeat". In the April–June issue are printed some letters of Hiram Powers, the sculptor, to Nicholas Longworth, 1856 and 1858. The issue for July–September is devoted to "Selections from the Towner Papers" (which are in the manuscript collections of the society), arranged and edited by Isaac J. Cox. The selections here printed are letters of four brothers Findlay, all of whom were more or less engaged in politics about 1830. They illustrate the substratum of politics in the Jacksonian era.

The *Indiana Quarterly Magazine of History* for March presents an article: "The First Thoroughfares", being number 1 of a series dealing with the history of internal improvements in the state. A map, showing the stage-coach routes in 1838, accompanies the article.

Number 2 of the *Indiana Historical Society Publications*, vol. IV. is composed of a paper on "The Word Hoosier", by Jacob Piatt Dunn, and a sketch of "John Finley", by Mrs. Sarah A. Wrigley (his daughter). Finley, it appears, did not coin the word Hoosier in his poem "The Hoosier's Nest", but found it in verbal use when he wrote (about 1830). "The Hoosier's Nest" is here printed in what is probably its original form.

Among the recent manuscript acquisitions of the Chicago Historical Society are these: Thirty-two documents relative to the "Mormon War" in Illinois (June, 1844), the gift of Dr. O. L. Schmidt; day-book of the *Chicago-American*, 1837–1841; record of arrivals and clearances of vessels at the port of Chicago, 1838. The society has in press "Father Pierre-François Pinet, S.J., and His Mission of the Guardian Angel of Chicago, 1696–1699", by Frank P. Grover; and "Gurdon Saltonstall Hubbard, a Biographical Sketch", by Henry E. Hamilton.

The Chicago Historical Society has issued a "Biographical Sketch of Hon. Joseph Duncan, Fifth Governor of Illinois", by E. W. Blatch-

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ford; and a "Biographical Sketch of Hon. John Peter Altgeld, Twentieth Governor of Illinois", by Edward O. Brown.

"The Old Kaskaskia Records", an address read before the Chicago Historical Society, February 2, 1906, has been published by the society. The finding of these records was noted in the issue of the REVIEW for April, 1906.

The next publication of the Club for Colonial Reprints will be of a document entitled *Invitation Sérieuse aux Habitants des Illinois*, signed "Un Habitant des Kaskaskia", reprinted from the copy of 1772 in the possession of the Library Company of Philadelphia.

The Union Cause in Kentucky, 1860–1865, by Captain Thomas Speed, adjutant of the twelfth Kentucky infantry, has appeared from the press of G. P. Putnam's Sons.

The May *Register* of the Kentucky State Historical Society contains sketches of governors Stephenson and Leslie, by Mrs. Jennie C. Morton, a paper on the separation of Kentucky from Virginia, by Z. T. Smith, and a "talk" on the life and work of George Rogers Clarke, by Colonel R. T. Durrett. Branches of the society are being organized over the state.

Mr. Joshua W. Caldwell has revised and enlarged his work *Studies in the Constitutional History of Tennessee* (Cincinnati, The Robert Clarke Company).

Investigators of Western and Southwestern history have long felt the need of a comprehensive guide to the extensive manuscript materials in the possession of the State Historical Society of Wisconsin. This want has been met by the society in its *Descriptive List of Manuscript Collections*, recently issued under the editorship of Dr. Reuben G. Thwaites (Madison, 1906, pp. viii, 197). By far the most important collection of manuscripts in the society's possession is that known as the Draper Manuscripts. The description of this collection occupies, in the volume before us, 104 pages, whereas all the other manuscripts belonging to the society are described in 14 pages. There is an appendix containing summarized statements concerning important historical manuscript collections elsewhere in the Old Northwest and in other states adjacent to Wisconsin. The accounts given of these collections, "as reported by their custodians", are, with one or two exceptions, rather summary. It is to be hoped that these several agencies will prepare for the benefit of investigators a more detailed account of the manuscript materials in their possession.

We have received the *Proceedings* of the Wisconsin Historical Society for 1906. The "Green Bay and Prairie du Chien Papers" (99 folio volumes), bearing upon the Fox-Wisconsin valley, have been bound. As was noted in the January issue, the society has acquired from the estate of Morgan L. Martin a quantity of valuable papers, which will in many essential points supplement the Green Bay and Prairie du Chien

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papers; and also the papers of Moses M. Strong (about 230 volumes), relating chiefly to the settlement of Wisconsin, but also containing political documents of historical value. There are several articles of interest in the volume, among which may be mentioned "Marquette's Authentic Map Possibly Identified", by Louise P. Kellogg; "Habitat of the Winnebago, 1632–1832", by P. V. Lawson; "The Founding of Milwaukee", by E. S. Mack.

The Wisconsin Historical Society is issuing a special series of volumes of Colonial and Revolutionary documents contained in the Draper collection in the society's possession. The matter of selecting and editing is done by Secretary Thwaites and his editorial staff, but the cost of printing is borne by the Wisconsin Chapter of the Sons of the American Revolution. The first volume, *Documentary History of Dunmore's War* (1774), edited by Dr. Thwaites and Dr. Louise Phelps Kellogg, was published two years ago. The second, to be published next winter, will be entitled *The Revolution on the Upper Ohio*. The documents of which the volume will be made up, largely letters and reports of the militia officers in the outlying forts to the commandant at Fort Pitt, and his orders and replies, will illustrate Revolutionary movements in the Pittsburgh region and western Virginia. A third volume in this series will cover the militia operations from 1775 until the summer of 1778, when a body of regulars was sent from the East to aid the frontiersmen in the desperate struggle to hold their line.

The Wisconsin legislature has passed an act authorizing any state official to deposit permanently with the Wisconsin Historical Society, in the latter's capacity as trustee for the state, any records or archives not specifically required by law to be retained in the office of such official as a part of the public records. The society is required to classify and arrange the material so as to make it available for public use, and also, on application of any citizen of Wisconsin, to furnish certified copies of any document.

The General Assembly of Iowa, before its adjournment in April, 1907, appropriated $12,000 for the care and preservation of the public archives for the biennial period from July, 1907 to July, 1909, and added $4,500 to the permanent annual support of the State Historical Society of Iowa. Mr. John C. Parish has been appointed assistant editor for the society.

Under the auspices of the State Historical Society of Iowa the fiftieth anniversary of the constitution of Iowa was celebrated at Iowa City, March 19 to 22. Addresses delivered were: "A Written Constitution in Some of its Historical Aspects", by Professor A. C. McLaughlin; "The Relation between General History and the History of Law", by Eugene Wambaugh; "The Romance of Mississippi Valley History", by Dr. R. G. Thwaites; "The Constitutional Convention and the Issues before it", by Emlin McClain, justice of the Supreme Court of Iowa.

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In connection with this celebration a neat pocket edition of the constitution of 1857, with an historical introduction by B. F. Shambaugh, has been issued by the society.

In the *Iowa Journal of History and Politics* for April is printed a "Bibliography of the Iowa Territorial Documents", by T. J. Fitzpatrick. The bibliography is intended to include all publications issued by the state during the Territorial period, 1838 to 1846, and consists mainly of legislative documents. Hugh S. Buffum continues his paper "Federal and State Aid to Education in Iowa", and D. E. Clark writes of "The Beginnings of Liquor Legislation in Iowa".

Among the articles in the *Annals of Iowa* for April may be mentioned "Memories of a Swedish Immigrant", by C. J. A. Ericson, and "At Lincoln's First Inauguration", by Charles Aldrich. There is also a brief discussion of "The Constitution of 1857 and the People", together with some account of the celebration of the fiftieth anniversary of the adoption of the state constitution.

The leading article in the *Missouri Historical Society Collections* for October, which now appears as a quarterly, is "William Clark: Soldier, Explorer, Statesman", by R. G. Thwaites. The article is accompanied by a portrait of Clark, and also one of Dr. Thwaites. "A Batch of Old Letters, 1840–1854" contains some letters of interest. We note particularly the letter of B. F. Stringfellow to Governor Reynolds, September 20, 1842, and that of James S. Rollins to Major John Dougherty, December 11, 1854. The latter illustrates the political ferment of the time.

The Arkansas Historical Association has in preparataion, under the editorship of Professor J. H. Reynolds of the University of Arkansas, a volume of material pertaining to military affairs in Arkansas during the Civil War, mainly the records of the Military Board of Arkansas. The legislature has appropriated $1,600 for the work.

We note the appearance of the first volume of the *Collections of the State Historical Society of North Dakota* (Bismarck, pp. 500). Among the addresses and papers in the volume are: "The Uses of an Historical Society", by Professor A. C. McLaughlin; "The Icelandic Settlement of Pembina County", by Sveinbjorn Johnson; "Foreign Immigration into North Dakota", by Jesse A. Tanner; "Leaves from Northwestern History", by Linda W. Slaughter. The last paper consists mainly of the records of missionary enterprises, particularly those of Father Genin, 1864 to 1899. The volume contains also a list of the newspapers in the possession of the society. There is an index to the volume, but a more complete table of contents would be of real value.

The principal articles of historical interest in the April number of *The Washington Historical Quarterly* are: "Cook's Place in Northwestern History", by J. N. Bowman; and "The Protestant Episcopal as a Missionary and Pioneer Church", by Mrs. Thomas W. Prosch.

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A document of interest is the diary of John E. Howell, an emigrant from Missouri to Oregon in 1845. The reprint of George Wilkes's "History of Oregon, Geographical and Political" is continued.

Internal Taxation in the Philippines, by John S. Hord, Collector of Internal Revenue in the Philippine Islands, appears as no. 1 of Series XXV. of the Johns Hopkins University Studies. The author sketches briefly the old system, the introduction of the new law of 1903, and analyzes the results.

Antonio De Morga's *History of the Philippine Islands,* edited by J. A. Robertson, is announced by the Arthur H. Clark Company for separate issue.

Aguinaldo et les Philippins ("Les Hommes de Révolution") by M. Henri Turtot, with preface by M. Jean Jaurès, has recently appeared (Paris, 1906, Léopold Cerf).

By a recent Order in Council of the Canadian government the "Historical Manuscripts Commission of Canada" has been instituted. It is attached to the Ministry of Agriculture, of which department the Canadian archives have always formed a part. Its members are appointed by that Minister, who, together with the Archivist of the Dominion, is *ex officio* a member. There are to be seven other members, of whom five have been appointed: Professors Charles W. Colby of McGill, George M. Wrong of Toronto, and Adam Shortt of Queens University, Mr. Joseph Édouard Roy, and the Abbé Gosselin. The function of the commission are to advise with the minister as to collection, care, custody, and publication of historical materials relating to Canada.

The newest number of the Harvard Historical Studies is *The Seignorial System in Canada: a Study in French Colonial Policy,* by W. B. Munro.

The Quebec Landmark Commission, consisting of Messrs. F. Langelier, E. E. Taché, and William Weed, has published its first report, bearing date December 22, 1906, the principal recommendation of which is that the territory between Wolfe's Cove and the citadel be permanently reserved as a park, commemorating the Battle of the Plains of Abraham. It is earnestly to be hoped that the recommendation will be carried out. As is well known, the present reservation does not embrace the battlefield, the site of which has been definitely determined only within recent years. Most of the territory to be included within the proposed park is already public land, and the principal obstacles appear to be the jail, unfortunately built a few feet from the spot where Wolfe died, and a rifle factory, marking Montcalm's left. It is urged that these be removed to other locations, thus making possible the preservation almost in its original condition of one of the most striking battle-fields of the world.

Wilmot and Tilley, by James Hannay, is a new volume in "The Makers of Canada" series (Toronto, Morang and Co.).

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The leading article in the May number of the *American Political Science Review* is: "Responsible Government in the British Colonial System", by Stephen Leacock. The paper deals with the circumstances under which the right of self-government was acquired by the Province of Canada, and is concerned chiefly with the period from 1838 to 1849.

Mr. W. F. Ganong's *Additions and Corrections* to his monographs on place-nomenclature, cartography, historic sites, evolution of boundaries, and settlement-origins of the Province of New Brunswick has appeared as a reprint from the *Transactions of the Royal Society of Canada* (Ottawa, 1906, pp. 157, viii). There is added also a title-page, preface, and table of contents to the entire series.

Dr. Hiram Bingham has returned from his six-months trip in South America the purpose of which was announced in these columns in January. Together with Dr. Hamilton Rice, F.R.G.S., who accompanied him throughout the trip, he spent ten days on Crab Island in locating the exact spot where the Scots Darien Colony landed in 1698, and then proceeded to Caracas where some time was spent in examining a valuable collection of books and other material on South American history, the greater part of which Dr. Bingham was able to acquire. From Caracas they went to Valencia and spent over a week in surveying the battle-fields of Carabobo. From this point to Bogotá the trip was made on mules and the party followed the route taken by Bolivar during the wars of liberation. In addition to much topographical data Dr. Bingham was able to secure about 3,000 volumes and pamphlets and the expedition may well be regarded as of first importance for the study of South American history in the United States.

Noteworthy articles in periodicals: Thomas Chalmers, *Congregational Churches in New Hampshire* (Granite State Magazine, February); J. P. Hoskins, *German Influence on Religious Life and Thought in America during the Colonial Period* (The Princeton Theological Review, January, April); G. F. H. Berkeley, *The History of the French Canadians and its Lesson*, II. (Westminster Review, May); Ida M. Tarbell, *The Tariff in our Times* (running in the American Magazine); Morris Schaff, *The Spirit of Old West Point* (Atlantic, April, May, June); Captain A. T. Mahan, *Our Navy Before the War of Secession* (Harper's, May); J. V. Quarles, *Abraham Lincoln* (Putnam's Monthly, April); D. H. Bates, *Lincoln in the Telegraph Office: Recollections of the United States Military Telegraph Corps* (Century, May, June); John S. Barnes, *With Lincoln from Washington to Richmond in 1865* (Appleton's Magazine, May).

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INDEX

AMERICAN HISTORICAL REVIEW

VOLUME XII

☞ *The names of contributors are printed in small capitals*

Abbot, A. H., 554–556.

ABBOTT, FRANK T., (R) Arnold's "Studies of Roman Imperialism", 351; (R) Arnold's "The Roman System of Provincial Administration", 915.

ABBOTT, WILBUR, C., (R) Paul's "History of Modern England", Vol. v., 385.

Acton, J: Emerich E., baron, "Cambridge Modern History", Vols. IX., IV., reviewed, 135, 627; "Lectures on Modern History", reviewed by G. S. Ford, 621.

Adams, G: B., 491–492, 504.

Adams, J:, 542, 776.

Adams, J: Q., 788, 794, 798, 800–802.

Adams, S:, 533.

Adams, Wirt, 67.

African Company, 513.

Alaman, Lucas, 791, 792, 796.

Alcmene (vessel), 40.

Alexander, De Alva S., "Political History of State of New York", reviewed, 152.

"Alexandria government", 578.

"Algernon Sidney" papers, by Spencer Roane, 782, 784.

Allison, W: H:, "Baptist Councils in America", reviewed, 427.

Almonte, general, 293.

"Amboise, Étude sur les Chroniques des Comtes d'Anjou et des Seigneurs d'", by Louis Halphen, reviewed, 919.

America, Jameson's "Original Narratives", Vols. I., III., II., reviewed, 654, 692, 926; Young's "Christopher Columbus", reviewed, 656.

"American Biography, Conspectus of", by G: Derby, reviewed, 926.

American Economic Association, meeting, 483.

American Historical Association, Meeting of the, at Providence, 483–506; appropriation for printing, 501; reports of Treasurer and of Pacific Coast Branch, 502; reports of committees and commissions, 502–503; list of officers and committees, 504–506.

"American Nation, The", by Albert Bushnell Hart, Vols. XI., XII., XIII., XIV., XV., XVI., XVII., XVIII., XIX., XX., XXI., reviewed, 155, 158, 162, 164, 673, 675, 677, 902, 907.

"American Political Science Association, Proceedings of the", reviewed, 412; meeting, 483.

American Revolution, Sovereignty in the, by C. H. VAN TYNE, 529–545.

American Sociological Society, meeting, 483.

"Americana", by Karl Lamprecht, reviewed, 432.

Amery, L. S., 315.

AMES, HERMAN V., 493; (R) Sharpless's "Quakerism and Politics", 148; (R) Haynes's "Election of Senators", 400.

"Ancient History, Outlines of", by W: C. Morey, reviewed, 437.

"Ancient Records of Egypt", by J. H. Breasted (ed.), reviewed, 858.

Andrews, C: M., 322, 327.

ANDREWS, E. B:, (R) Hosmer's "The Appeal to Arms", 907; (R) Hos-

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mer's "Outcome of the Civil War", 907.
"Anjou, au XI^e Siècle, Le Comté d'", by Louis Halphen, reviewed, 918.
"Anjou et des Seigneurs d'Amboise, Étude sur les Chroniques d'", by Louis Halphen, reviewed, 919.
"Antiquities, Catalogue of Egyptian", by Garret C. Pier, reviewed, 915.
"Appeal to Arms", by James K. Hosmer, reviewed, 907.
Argall, S:, captain, 519.
Arkansas Historical Association, "Publications", Vol. I., reviewed, 934.
Arnold, Matthew, 225.
Arnold, W: T., "Studies of Roman Imperialism", reviewed by F. F. Abbott, 351; "The Roman System of Provincial Administration", reviewed by F. F. Abbott, 915.
Assereto, Ugo, 273n. 275, 277.
Atkinson, C. T., (ed.) "Letters and Papers relating to the First Dutch War", reviewed, 420.
Attitude of Thaddeus Stevens toward the Conduct of the Civil War, by J. A. Woodburn, 567–583; with respect to slavery, 568–573; the constitution, 573–577; status of seceded states, 578–582.
Audubon, John W., "Audubon's Western Journal", reviewed by E. E. Sparks, 149.
Audubon, Maria, (introd.) "Audubon's Western Journal", 149.
Aumále, duke of, 12.
Austin, Stephen F., 805.
Austria, Friedjung's, "Der Krimkrieg und die österreichische Politik", reviewed, 894.
Avery, Elroy McKendree, "History of the United States", Vol. II., reviewed by W: R. Shepherd, 657.
Babcock, Kendric C:, "Rise of American Nationality", reviewed by M. S. Brown, 158.
Bacon, Edwin M., "The Connecticut River", reviewed by K. M. Cone, 693.
Bacon, Francis, 517, 527, 528.
Bagot, W:, 13.
Bain, J., 78.
Baird, Henry M., death, 442.
Baldwin, James F., *The Privy Council of the Time of Richard II.*, 1–14.
Baldwin, Simeon E., *Religion still the Key to History* (address), 219–243.
Ballagh, James C., (R) Hart's "Slavery and Abolition, 1831–1841", 902.
"Baptist Councils in America", by W: H: Allison, reviewed, 427.
Barillon, Marquis de, 245, 246, 249, 257.
Barker, Eugene C., *President Jackson and the Texas Revolution*, 788–809.
Barker, J. Ellis, "The Rise and Decline of the Netherlands", reviewed, 922.
Barry, 225.
Bassett, J: S., "The Federalist System", reviewed by W. C. Ford, 155; (R) Oliver's "Alexander Hamilton", 398.
Bastet, 245.
Bate, J:, 743, 744.
Bateson, Mary, death, 443.
Battersby, Prevost, 304.
Beard, C: A., "Introduction to the English Historians", reviewed by C: T. Wyckoff, 416; (R) Bérard's "La France et Guillaume II.", 895.
Beazley, C. Raymond, (R) Olson's and Bourne's "The Northmen, Columbus and Cabot", 654; (Introd. to Doc.) *Directorium ad Faciendum Passagium Transmarinum*, 808–811; "The Dawn of Modern Geography", Vol. III., reviewed by E. L. Stevenson, 869.
Becker, Carl, (R) Keys's "Cadwallader Colden", 696.
Becket, Thomas, 733.
Beecher, H: W., 547, 560, 564.
Beer, G: L., paper by, 497.
Begon, Michel, 21–23, 37.
"Belfiore, I Martiri di, e il loro Processo", by Alessandro Luzio, reviewed, 644.
Bémont, C: "Rôles Gascons", reviewed, 169.
Bérard, Victor, "La France et Guillaume II.", reviewed by C: A. Beard, 895.
Bermuda Company, 514.
Bessières, 43, 44, 51.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Bibliographical Society of America, meeting, 483.
Bigot, intendant, 23, 35, 36–38.
"Biography, Conspectus of American", by G: Derby, reviewed, 926.
Black Warrior Affair, by H: L. JANES, 280–298; the incident, 281–289; its settlement, 289–298.
Blair, Emma H., (ed.) "The Philippine Islands", Vols. XXVIII., XXX.–XXXVIII., XXXIX–XLVI., reviewed by J. A. LeRoy, 143, 912.
Blair, Francis P., 580, 581, 801, 802.
BLAIR, MONTGOMERY, 73; (R) Hunt's "The First Forty years of Washington Society", 669.
Blake, general, 43–45, 50.
Blasio, José L., "Maximiliano Intimo", reviewed, 927.
Bloch, Camille, "Collection de Documents Inédits sur l'Histoire Économique de la Révolution", reviewed by J. H. Robinson, 373.
Blok, P. J., "Geschiedenis van het Nederlandsche Volk", Vol. VII., reviewed by W: E. Griffis, 890.
Blondel, 230.
Boehmer, Johann Friedrich, (ed.) "Codex Diplomaticus Moenofrancofurtanus", Vols. I. and II. (Friedrich Lau), reviewed by E. W. Dow, 354.
BOLLING, G: M., (R) Jackson's "Persia Past and Present", 602.
BOLTON, HERBERT E., (R) García's "Don Juan de Palafox y Mendoza", 425.
Bonaparte, Joseph, 44.
Bonn, Moritz Julius, "Die Englische Kolonisation in Irland", reviewed by E: P. Cheyney, 123.
"Books, Culture and Character", by J. N. Larned, reviewed, 687.
BORGEAUD, C:, (R) Doumergue's "Jean Calvin", Vol. IV., 127; (R) Seippel's "Les Deux Frances", 133.
Boroughs, Mortmain in Medieval, by C. GROSS, 733–742.
Bosc, Henri, "Les Droits Législatifs du Président des États-Unis", reviewed by J: H. Latané, 178.
Bouillé, Marquis de, "Souvenirs", reviewed by F. M. Fling, 924.
Bourgeois, Émile, "Rome et Napoléon III.", reviewed by W: R. Thayer, 892.
Bourne, Annie Nettleton, (trans.) "Voyages and Explorations of Samuel de Champlain", reviewed, 424.
BOURNE, E: GAYLORD, (ed.) "Voyages and Explorations of Samuel de Champlain", reviewed, 424; (ed.) "The Northmen, Columbus and Cabot", reviewed by C. R. Beazley, 654; (R) Young's "Christopher Columbus and the New World of his Discovery", 656.
BOURNE, H: E., paper by, 494; (R) Pionnier's "Essai sur l'Histoire de la Révolution à Verdun", 636.
Bowen, C. W., 504.
BOWMAN, HERVEY M., (R) Salomon's "William Pitt der Jüngere", 886.
Bradby, G. F., "The Great Days of Versailles", reviewed by J. B. Perkins, 883.
Breasted, James, H., (ed.) "Ancient Records of Egypt", reviewed by C. Johnston, 858.
Bréhier, Louis, "L'Église et l'Orient au Moyen Age", reviewed by D. C. Munro, 608.
Brewster, H. P., 68, 69.
Bridges, J. H., "Sociological Papers", reviewed, 412.
Brigham, Albert P., "From Trail to Railway through the Appalachians", reviewed, 928.
BRIGHAM, CLARENCE S., paper by, 498; (R) Ellis and Morris's "King Philip's War", 696.
"BRITISH OFFICER", *The Literature of the South African War, 1899–1902*, 299–321.
British Parliamentary Debates in the Eighteenth Century, French Reports of, by P. MANTOUX, 244–269.
British Treaty, Edmund Randolph on the, 1795, (doc.) 587–599.
Broderick, Major-general, 48.
Brodrick, G: C., "History of England, 1801–1837", reviewed by R. C. H. Catterall, 139.
Broglie, count de, 252.
Brown, Alexander, death, 441.
Brown, H: J., (ed.) Stevens's "Report

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ELECTRONIC REPRODUCTION PROHIBITED

on American Manuscripts", reviewed, 428.
Brown, J:, 559, 561.
Brown, Marshall S., (R) Channing's "Jeffersonian System", 158.
Brown, W: G., (R) Rhodes's "History of the United States", Vols. VI. and VII., 680.
Browne, Nina E., (ed.) "Portrait Index", reviewed, 687.
"Browne, Robert, True Story of", by Champlin Burrage, reviewed, 419.
Bryce, James, 502.
Buchanan, president; message concerning Pike's Peak country, 61, 64.
Buford, J. M., 564.
Buller, Sir R., 303, 305, 311.
Bullock, captain, 281, 282, 285, 286, 289.
Burgess, J. W., 539.
Burleigh, Bennet, 301, 302.
Burne-Jones, E:, 222.
Burr, G: L., (R) Lea's "History of the Inquisition of Spain", Vols. II. and III., 359, 625; (R) Pastor's "Geschichte der Päpste seit dem Ausgang des Mittelalters", Vol. IV., pt. I., 361; paper by, 485, 493; (R) Hill's "A History of Diplomacy in the International Development of Europe", Vol. II., 617.
Burrage, Champlin, "True Story of Robert Browne", reviewed by W. Walker, 419.
Burrage, H: Sweetser, (ed.) "Early English and French Voyages", reviewed by P. L. Phillips, 692; "Gettysburg and Lincoln", reviewed, 700.
Burton, Theodore E., "John Sherman", reviewed by D. R. Dewey, 905.
Bussy, J:, 13.
Bustamante, president, 791, 792.
Butler, Anthony, colonel, 790–797.
Butler, W: F., "The Lombard Communes", reviewed, 917.
Byers, W: N., 58.
Byron, lady, 546.
Cabeza de Vaca, "Relación de los Naufragios y comentarios", ed. Serrano y Sanz, reviewed by J. A. Robertson, 173.
Cabot, S:, 549, 555, 557.
Calderon, 290, 294, 297.
Calhoun, J: C., 787.
Calhoun's Political Opinions and Prospects, Virgil Maxcy on, 1823, (doc.), 599.
"Calvin, Jean", by Émile Doumergue, reviewed, 127.
"Calvin, John", by Williston Walker, reviewed, 366.
Cambis, count de, 254, 256, 260.
"Cambridge Modern History", Vols. IX., IV., by Lord Acton, reviewed, 135, 627.
Camden, W:, 511.
Canada: intendants in New France, 15–38; Bourne's "Voyages of Champlain", reviewed, 424; Reid's "Life of First Earl of Durham", reviewed, 637.
"Canada, The Review of Historical Publications relating to", by G: M. Wrong and H. H. Langton (eds.), reviewed, 934.
"Canadian Archives for 1904, Report Concerning", by A. G. Doughty, reviewed, 434.
"Canadian War of 1812, The", by C. P. Lucas, reviewed, 429.
Canning and the Spanish Patriots in 1808, by J: H. Rose, 39–52.
Carew, Sir P:, 518.
"Carolina, Reconstruction in North", by J. G. de R. Hamilton, reviewed, 911.
Cartellieri, Alexander, "Philipp II. August", Vol. II., reviewed by W. Walker, 358.
Cartrie, count de, "Memoirs", reviewed by G: M. Dutcher, 376.
Catholic Mission in Maryland, 1641, (doc.), 584.
Catterall, Ralph C. H., (R) Brodrick's "History of England, 1801–1837", 139.
"Censorship of the Church of Rome", Vol. I., by G. H. Putnam, reviewed, 871.
Champigny, Jean de, 21, 33, 37.
"Champlain, Voyages and Explorations of Samuel de", trans. by A. N. Bourne, reviewed, 424.
Channing, E:, "The Jeffersonian Sys-

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tem", reviewed by M. S. Brown, 158; paper by, 498.
Charles II., 245.
Châtelet, count du, 257.
CHEYNEY, E: P., (R) Bonn's "Die Englische Kolonisation in Irland", 123; *Some English Conditions surrounding the Settlement of Virginia*, 507–528.
Chichester, Sir A., 516, 520.
"Chile, Colección de Historiadores de", reviewed, 671.
Choiseul, duc de, 257.
"Christianisme, Manuel d'Histoire Ancienne du", by C: Guignebert, reviewed, 862.
CHRISTIE, FRANCIS A., (R) Guignebert's "Manuel d'Histoire Ancienne du Christianisme", 862.
Church, exemption from taxation in Middle Ages, 733–738; bequests of land to: prohibited in Middle Ages, 738–742.
Churchill, Winston, 302, 303.
Cincinnati, early industries, 763, 765, 772, 775.
Civil War, Rothschild's "Lincoln", reviewed, 166; attitude of Northern Democrats and Constitutional Unionists, 574–576.
Civil War, Attitude of Thaddeus Stevens toward the Conduct of the, by J. A. WOODBURN, 567–583.
"Civil War, Outcome of the", by James K. Hosmer, reviewed, 907.
Civil War, English: Ireland's "Henry Vane", reviewed, 369.
Clark, Andrew, (ed.), "The Shirburn Ballads, 1585–1616", reviewed, 923.
Clark, A. H., 504.
Clark, G: Rogers, 541.
Clay, H:, 788, 789.
Clements, B:, 68.
Clermont, É., "Rome et Napoléon III.", reviewed by W: R. Thayer, 892.
"Clero de Mexico y la Guerra de Independencia, El", by Genaro García, reviewed, 931.
Clifford, Lewis de, 12.
Clinton, De Witt, 785.
COFFIN, VICTOR, (R) Zwiedineck-Südenhorst's "Deutsche Geschichte, 1806–1871", Vol. III., 380; (R) Denis's "La Fondation de l'Empire Allemand", 380; (R) Acton's "Cambridge Modern History", Vol. IV., 627; (R) Delbrück's "Erinnerungen, Aufsätze und Reden", 646; (R) Friedjung's "Der Krimkrieg und die österreichische Politik", 894.
Cohens v. Virginia (law case), 781.
Coke, chief justice, 756.
Colbert, J. B., 17, 18, 30, 31.
COLBY, JAMES F., (R) Lyford's "Life of Edward H. Rollins", 906.
"Colden, Cadwallader", by A. M. Keys, reviewed, 697.
Cole, M. R., (tr.), "Los Pastores, A Mexican Play of the Nativity", reviewed, 935.
"Colonisation Hollandaise à Java", by Pierre Gonnaud, reviewed, 881.
Colorado, Territory of, by F: L. PAXSON, 53–65; division of Western territories, 53–54; settlement, 55; organization of provisional territory of Jefferson, 56–65.
Columbus, 507.
Columbus was born in 1451, Proof that, by H: VIGNAUD, 270–279.
"Columbus and Cabot, The Northmen and", by E: G. Bourne, reviewed, 654.
"Columbus, Christopher", by Filson Young, reviewed, 656.
Colville, Sir H:, 305, 306.
"Compleat Gentleman", by H: Peacham, reviewed, 922.
"Comuneros, Los", by J. de Finestrad, reviewed, 668.
Concordat, 233, 242.
CONE, KATE M., (R) Bacon's "Connecticut River", 693.
Confederacy, mail-routes of, 72–73; attitude of Thaddeus Stevens, 567–583; Reagan's "Memoirs", reviewed, 679.
Confederacy, Organization of the Post-Office Department of the, by W. F. MCCALEB, 66–74.
Confiscation Act, 1861, 570.
"Connecticut River, The", by E. M. Bacon, reviewed, 693.
Constitution of 1791, 233.
"Constitutional Conflict", by H: R. Spencer, reviewed, 175.

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"Constitutional History, Studies in", by J. O. Pierce, reviewed, 172.
Constitutional Unionist, northern, attitude toward Civil War, 574–576.
Consultation and prohibition, by Court of King's Bench: distinction, 748–749n.
Continental Congress, 529–545.
"Continental Congress, Journals of the", Vols. v., vi., vii., reviewed, 177, 929.
Cooke, governor, 538.
Cora, J: de, 809.
Corn Laws, 243.
Council, Privy, of the Time of Richard II., by J. F. Baldwin, 1–14.
Crittenden resolutions, 568, 569, 570, 574.
Cromer, lord, letter to, 241.
Cronje, general, 303, 306.
Cross, Arthur L., (R) Hastings's "Ecclesiastical Records of the State of New York", 176.
Crusades, Bréhier's "L'Église et L'Orient", reviewed, 608; *Directorium ad Faciendum Passagium Transmarinum*, (doc.), 811–857.
Cuba, *Black Warrior Affair*, 280–298.
"Cuba, Apuntes de Libro que tratan de", by L. M. Pérez, reviewed, 935.
Cuesta, 43, 45, 49, 50.
Cueto, 285, 295–298.
Curry, J. L. M., 67.
Cushing, Caleb, 297, 298.
Dale, Sir T:, 520, 523.
Dalyngrugg, E:, 11.
Danby, earl of, 245.
Darwin, C:, 224.
Davenport, Frances G., (R) Robinson's "Readings in European History", 168; (R) Plum's "The Teutonic Order", 169; "Economic Development of a Norfolk Manor", reviewed by T: W. Page, 609; (R) "Transactions of the Royal Historical Society", Vol. xx., 686.
Davis, Andrew McF., (R) Duniway's "Development of Freedom of the Press in Massachusetts", 145.
Davis, Jefferson, 67–70.
"Dawn of Modern Geography", Vol. iii., by C. R. Beazley, reviewed, 869.
Day, Clive, (R) Gonnaud's "La Colonisation Hollandaise à Java", 881.
Debates, British Parliamentary, in the Eighteenth Century, French Reports of, by P. Mantoux, 244–269.
Deitzler, G: W., 552, 553, 554.
Dejob, C: "La Foi Religieuse en Italie au Quatorzième Siècle", reviewed by D. S. Muzzey, 615.
Delbrück, Hans von, "Geschichte der Kriegskunst im Rahmen der politischen Geschichte", Vol. iii., reviewed by C: T. Wyckoff, 606; "Erinnerungen", reviewed by V. Coffin, 646.
Della Chiesa, F., "Noterelle Varesine", reviewed by H. N. Gay, 421.
"Democratique, De l'Esprit du Gouvernement", by Adolphe Prins, reviewed, 413.
Democrats, Northern: attitude to Civil War, 574, 576.
Denis, Ernest, "La Fondation de l'Empire Allemand", reviewed by V. Coffin, 380.
Dennis, Alfred L. P., (R) Foster's "The English Factories in India, 1618–1621", 879.
Denver, constitutional convention, June, 1859, 58; preliminary territorial constitutional convention, October, 1859, 59.
Derby, G:, (comp.), "Conspectus of American Biography", reviewed, 926.
"Deutsche Geschichte", by Karl Lamprecht, Vol. viii., reviewed, 633.
"Deutsche Geschichte, 1806–1871", Vol. iii., by Hans Zwiedineck-Südenhorst, reviewed, 380.
Dewey, Davis R., (R) Burton's "John Sherman", 905; (R) Pierce's "The Tariff and the Trusts", 933.
Dionne, N. E., "Inventaire chronologique", Vols. i., ii., reviewed, 692.
"Diplomacy, History of", by D. J. Hill, Vol. ii., reviewed, 617.
Directorium ad Faciendum Passagium Transmarinum, (doc.), 811–857.
Disestablishment, Irish Church, 233.
Dodd, W: E., (R) Reagan's "Memoirs", 679; *Chief Justice Marshall and Virginia, 1813–1821*, 776–787.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Dodd, W. F., 349.
Dodge, Theodore A., (R) Petre's "Napoleon's Campaign in Poland, 1806–1807", 888.
Doniol, Henri, death, 443.
Dougherty, J. Hampden, "Electoral System of the United States", reviewed by W: MacDonald, 154.
Doughty, Arthur G., "Report concerning Canadian Archives for 1904", reviewed, 434.
Douglas, S. A., 548.
Doumerque, Émile, "Jean Calvin", Vol. III., reviewed by C: Borgeaud, 127.
Dow, Earle W., (R) Lau's "Codex Diplomaticus Moenofrancofurtanus", Vols. I. and II., 354.
Doyle, Sir A. Conan, 313, 314.
Drake, Dr., 770.
Drake, Sir Francis, 510.
Drew, Lawrence, 12.
Dryad (vessel), 41.
Dublin, 738–739.
Duchesneau, Jacques, 19, 22–24, 31, 37.
Duff, British consul, 41, 43.
Duniway, Clyde Augustus, "Development of Freedom of the Press", reviewed by A. McF. Davis, 145.
Dunraven, Windham T:, fourth earl of, (introd.) Young's "Christopher Columbus", 656.
Dupont, French general, 43, 44.
Dupuy, Claude, 21–23.
"Durham, Life and Letters of the First Earl of", by Stuart J. Reid, reviewed, 637.
Durrett, R. T., 346.
"Dutch War, Letters and Papers relating to the First", by S: R. Gardiner, reviewed, 420.
Dutcher, G: M., (R) Masson's "Memoirs of the Count de Cartrie", 376.
East India Company, 512, 513, 518.
Eastern Empire, Gerland's "Geschichte des lateinischen Kaiserreiches von Konstantinopel", reviewed, 611; *Directorium ad Faciendum Passagium Transmarinum*, (doc.), 811–857.
Eastland Company, 512.
"Economic Development of a Norfolk Manor", by F. G. Davenport, reviewed, 609.
Eden, R:, 509.
Edward I., 741, 742.
Edward II., 735.
Edward II., 1–3, 5, 8, 11.
"Église et Orient", by Louis Bréhier, reviewed, 608.
Egypt, letter to Cromer, 241.
"Egypt, Ancient Records of", by J. H. Breasted (ed.), reviewed, 858.
"Egyptian Antiquities, Catalogue of', by G. C. Pier, reviewed, 915.
"Egyptological Researches", by W. M. Müller, reviewed, 861.
Eldred, J:, 514.
"Electoral System of the United States", by J. H. Dougherty, reviewed, 154.
Elizabeth, queen, 524, 525, 743, 747, 753.
Ellet, 67.
Ellis, Powhatan, 797.
Elton, Oliver, "Frederick York Powell", reviewed by H. M. Stephens, 648.
Embargo of 1807, its effect on American manufactures, 761, 764, 765.
Emerton, E., (R) Enthoven's "Briefe an Erasmus", 171.
England, Bonn's "Englische Kolonisation in Irland", reviewed, 123; Kimball's "Correspondence of William Pitt", reviewed, 633; *Mortmain in Medieval Boroughs*, 733–742; Nicholas Fuller and the court of High Commission, 743–760; Price's "English Patents of Monopoly", reviewed, 878; Ruville's "William Pitt", reviewed, 371; Salomon's "William Pitt", reviewed, 886.
"England, History of Modern", Vol. V., by Herbert Paul, reviewed, 385.
"England, Political History of", Vols. I., XI., III., by W. Hunt and R. L. Poole, reviewed, 114, 139, 613.
English Conditions surrounding the Settlement of Virginia, by E: P. Cheyney, 507–528; English, Spanish and Portuguese colonization, 507–512; Old and New World trading companies, 512–514; parallel between Virginian and Irish plantations, 515–522; settlement of Virginia, 523–528.

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"English Craft Gilds", by Stella Kramer, reviewed, 170.
"English Factories in India, 1618–1621", by W: Foster, reviewed, 878.
"English Historians, Introduction to the", by C: A. Beard, reviewed, 416.
"English Local Government", by Sidney and Beatrice Webb, reviewed, 631.
Enthoven, L. K., "Briefe an Erasmus", reviewed by E. Emerton, 171.
"Erasmus, Briefe an", by L. K. Enthoven, reviewed, 171.
Escalante, letter of, 99.
Esmein, A., "Gouverneur Morris", reviewed by C: D. Hazen, 690.
"Essentials of United States History", by W: A. and B. S. Mowry, reviewed, 438.
Estorch, 283.
Estrada, 796.
Evans, E: S., "Calendar of Transcripts in the Virginia Archives", reviewed, 181.
Evans, L. B., 109.
Exeter, duke of, 12.
Eyre, Louisa L., (ed.), "Letters and Recollections of George Washington", reviewed, 897.
Fairbanks, George R., death, 442.
Fairfax, Hite v., (law case), 777.
Fano, Perigrino de, 12.
Farias, vice-president, 794.
Farrand, M., 491.
Fay, Sidney B., (R) Smith's "Irish History", 117.
Ferdinand VII., 39, 44.
Ferguson, W. S., (R) Glotz's "Études Sociales", 111.
Ferrers, Ralph de, 9.
Ficklen, J: R., (R) Franz's "Die Kolonisation des Mississippitales", 659.
Fiddes, E:, (ed.) Arnold's "Studies of Roman Imperialism", reviewed by F. F. Abbott, 351.
Figgis, J: Neville, (ed.) Acton's "Lectures on Modern History", reviewed by G. S. Ford, 621.
Finestrad, J. de, "Los Comuneros", reviewed by L. M. Pérez, 668.
Finland, 230.
Fish, Carl R., (R) Chadwick's "Causes of the Civil War", 677.
Fiske, J:, 237.
Fitzpatrick, J: C., "Calendar of the Correspondence of George Washington", reviewed, 930.
Fleming, Walter L., "Documentary History of Reconstruction", Vol. I., reviewed by J. G. de R. Hamilton, 701; (R) Hamilton's "Reconstruction in North Carolina", 911.
Fling, Fred M., (R) "Souvenirs du Marquis de Bouillé", 924.
"Florida, Purchase of", by H. B. Fuller, reviewed, 404.
"Fondation de l'Empire Allemand, La", by Ernest Denis, 380.
Ford, Guy S., (R) Acton's "Lectures on Modern History", 621.
Ford, Worthington C., 494, 587; (R) Bassett's "Federalist System", 155; (ed.) "Journals of the Continental Congress", Vols. V., VI., VII., reviewed, 177, 929.
Fordham, Elias Pym, "Personal Narrative of Travels", reviewed by E. E. Sparks, 149.
Foreman, J:, "The Philippine Islands", reviewed by J. A. Le Roy, 388.
Forsyth, J:, 797, 804, 806, 807.
"Fort Johnson, The Story of Old", by Max Reid, reviewed, 397.
Foster, Herbert D., 488, 493; (R) Walker's "John Calvin, the Organiser of Reformed Protestantism", 366; (R) "Registres du Conseil de Genève", Vol. II., 418.
Foster, Roger, (R) Lincoln's "Constitutional History of New York", 392.
Foster, W:, "The English Factories in India, 1618–1621", reviewed by A. L. P. Dennis, 879.
Fotheringham, J. K., (ed.) Brodrick's "History of England, 1801–1837", reviewed, 139.
Fraikin, l'Abbé, J., (ed.) "Nonciatures de France", Vol. I., reviewed, 418.
France, Bourgeois and Clermont's "Rome et Napoléon III.", reviewed, 892; Cartellieri's "Philipp II. August", Vol. II., reviewed, 358.

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"France et Guillaume II.", by Victor Bérard, reviewed, 895.
"France, Histoire de, (Louis XIV.)", by E. Lavisse, reviewed, 130.
"Frances, Les Deux", by Paul Seippel, reviewed, 133.
Franklin, B:, 540.
"Franklin as a Free Mason, Benjamin", by Julius F. Sachse, reviewed, 928.
Franklin, Frank George, "Legislative History of Naturalization", reviewed by G. Hunt, 402.
Franz, Alexander, "Die Kolonisation der Mississippitales", reviewed by J: R. Ficklen, 659.
"Free Mason, Benjamin Franklin as a", reviewed, 928.
Fraire, Joachim, 40, 41.
French, general, 303.
French Reports of British Parliamentary Debates in the Eighteenth Century, by P. MANTOUX, 244–269; sources, 258–261; availability for historian, 262–269.
Friederici, Georg, "Skalpieren und ähnliche Kriegsgebräuche in Amerika", reviewed by J. Mooney, 391.
Friedjung, Heinrich, "Der Krimkrieg und die österreichische Politik", reviewed by V. Coffin, 894.
"From Trail to Railway through the Appalachians", by Albert P. Brigham, reviewed, 928.
Frontenac, count, 24, 37.
"Frontier Town, A", by H: C. Lodge, reviewed, 701.
Fuller, Hubert Bruce, "Purchase of Florida", reviewed, 404.
Fuller, Nicholas: A Forgotten Exponent of English Liberty, by R. G. USHER, 743–760; Fuller's criticism of James II. and the Court of High Commission, 743–748; his case before the King's Bench, 749–756; his submission and pamphlet, 757–760.
Fulton, W:, 799–801.
Gaines, major-general E: P., 788, 806, 807.
Galán, A. M., "El Comunero Galán", reviewed by L. M. Pérez, 668.
Galton, Francis, "Sociological Papers", reviewed, 412.
Gama, Vasco da, 507.
García, Genaro, (ed.) "La Inquisición de México", reviewed, 422; (ed.) "Don Juan de Palafax y Mendoza", Vol. III., reviewed by H. E. Bolton, 425; (ed.) "Causa Mandada Formar á Don Leonardo Márquez", reviewed by G: P. Garrison, 699; (ed.) "El Clero de Mexico y la Guerra de Independencia", reviewed, 931.
Gardiner, S: Rawson, 748; (ed.) "Letters and Papers relating to the First Dutch War", reviewed, 420.
Gardner, James A., "Recollections", reviewed, 925.
GARRISON, G: P., (R) García's "Causa Mandada Formar á D. Leonardo Márquez", 699; (introd.) Reagan's "Memoirs", 679; "Westward Extension", reviewed by J. S. Reeves, 673.
Gatacre, major-general, 305.
Gaudais-Dupont, commissioner to New France, 18.
Gaunt, J: of, 2, 10, 11.
GAY, EDWIN F., (R) Kramer's "English Craft Gilds", 170; paper by, 490; (R) Mantoux's "La Révolution Industrielle au XVIII^e Siècle", 884.
GAY, H. NELSON, (R) Della Chiesa's "Noterelle Varesine", 421; (R) Mazzini's "Scritti Editi e Inediti", Vol. I., 643; (R) Luzio's "I Martiri di Belfiore e il loro Processo", and "Profili Biografici e Bozzetti Storici", 644; "Pubblica Dimostrazione", reviewed by G: P. Garrison, 698.
Geddes, Patrick, "Sociological Papers", reviewed, 412.
Gelzer, Heinrich, death, 444.
"Genève, Registres du Conseil de", Vol. II., reviewed, 418.
"Geography, The Dawn of Modern", Vol. III., by C. R. Beasley, reviewed, 869.
Gerland, Ernst, "Geschichte das lateinischen Kaiserreichen von Konstantinopel", Vol. I., reviewed by D. C. Munro, 611.
German General Staff, history of South African War, 318.
Germany, Denis's "Fondation de l'Empire", reviewed, 380; Zwiedeneck-

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ELECTRONIC REPRODUCTION PROHIBITED

Südenhorst's "Deutsche Geschichte, 1806-1871", reviewed, 380; Lamprecht's "Deutsche Geschichte", Vol. VIII., reviewed, 633; Bérard's "La France et Guillaume II.", reviewed, 895.
"Gettysburg and Lincoln", by H: Sweetser Burrage, reviewed, 700.
Gilbert, J:, bishop of St. David's, 12.
Gilbert, Sir Humphrey, 511, 516, 517.
"Giles of Assisi, The Golden Sayings of the Blessed Brother", by Paschal Robinson (ed.), reviewed, 920.
Gilman v. McClary: a New Hampshire Case of 1791, (doc.), 348.
Gilpin, W:, 64.
Glasson, Ernest Désiré, death, 703.
Glotz, Gustave, "Études Sociales et Juridiques sur l'Antiquité Grecque", reviewed by W. S. Ferguson, 111.
Gloucester, Thomas, duke of, 10.
Glover, J: R., "Napoleon's Last Voyages", reviewed by J. W. Thompson, 691.
"Golden Sayings of the Blessed Brother Giles of Assisi", by Paschal Robinson (ed.), reviewed, 920.
Goldman, C: S., 303, 304.
Gonnaud, Pierre, "La Colonisation Hollandaise à Java", reviewed by C. Day, 881.
Goodwin, Frank P., *The Rise of Manufactures in the Miami Country*, 761–775.
Goodwin, Sir F., 743.
Górostiza, 806, 807.
Graham, Hiram J., 56, 57.
Grant, captain ("Linesman"), 305, 307.
Grant, Letter to his Father, on the Capture of Vicksburg, 1863, (doc.), 109.
Greece, Glotz's "Études Sociales et Juridiques sur l'Antiquité Grecque", reviewed, 111.
"Greek World, Silver Age of", by John Pentland Mahaffy, reviewed, 414.
Greeley, H., 546, 549.
Greene, Evarts B., (R) Spencer's "Constitutional Conflict in Provincial Massachusetts", 175; paper by, 499.
Greene, H:, 13.
Gregory VII., 733.
Greville, Fulke, "Life of Sir Philip Sidney", reviewed, 923.
Griffis, W: E., (R) Blok's "Geschiedenis van het Nederlandsche Volk", Vol. VII., 890.
"Groseilliers and Radisson", by Warren Upham, reviewed, 694.
Gross, C:, (R) Hudson and Tingey's "Records of the City of Norwich", 119; *Mortmain in Medieval Boroughs*, 733–742.
Grow, Galusha A., 57, 61, 64.
Guadalupe-Hidalgo, treaty, 53.
Guiana Company, 514.
Guignebert, C:, "Manuel d'Histoire Ancienne du Christianisme", reviewed by F. A. Christie, 862.
Guild, Hon. C., sr., 109.
"Guillaume II., France et", by Victor Bérard, reviewed, 895.
Guiraud, Jean, "Questions d'Histoire et d'Archéologie Chrétienne", reviewed by D. S. Muzzey, 113.
Guiraud, Paul, death, 704.
Guizot, F. P. G., 220.
Gutiérrez, 796.
Haig, major-general, 304.
Hague, conference, 1899, 223.
Hakluyt, R:, 510.
Hale, E: E., 549, 552.
Halle, Ernest von, (ed.), "Die Weltwirtschaft", reviewed, 925.
Halphen, Louis, "Le Comté d'Anjou au XI^e^ Siècle", reviewed by J. W. Thompson, 918; "Étude sur les Chroniques des Comtes d'Anjou et des Seigneurs d'Amboise", reviewed by J. W. Thompson, 919.
Halsey, Francis W., (ed.) Smith's "Tour of Four Great Rivers", reviewed by C. H. Hull, 427.
Hamilton, Alexander, 543, 545.
"Hamilton, Alexander", by F. S. Oliver, reviewed, 398.
Hamilton, G: L., (R) Putnam's "The Censorship of the Church of Rome", Vol. I., 871.
Hamilton, J. G. de R., (R) Fleming's "Documentary History of Reconstruction", Vol. I., 700; "Recon-

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struction in North Carolina", reviewed by W. L. Fleming, 911.
Hamilton, R. Vesey, (ed.), "Recollections of James Anthony Gardner", reviewed, 925.
Hammond, J. L., "Lord Hobhouse", reviewed by G: M. Wrong, 141.
Harrison, F:, 227; "Memories and Thoughts", reviewed, 422.
Harrison, James A., "George Washington", reviewed, 897.
Hart, Albert Bushnell, 504; (ed.) "American Nation", Vols. XI., XII.–XIII., XIV., XV., XVI., XVII., XVIII., XIX., XX., XXI., reviewed, 155, 158, 162, 164, 673, 675, 677, 902, 907; "Slavery and Abolition", reviewed by J. C. Ballagh, 902.
Haskin's, C: H., 493, 504.
Hastings, Hugh, (ed.) "Ecclesiastical Records of the State of New York", Vols. v. and VI., reviewed by A. L. Cross, 176.
Hauser, Henri, "Les Sources de l'Histoire de France", Vol. I., reviewed by J. W. Thompson, 171.
Haworth, Paul Leland, "Hayes-Tilden Disputed Presidential Election", reviewed, 410.
Hay, G: Jackson, "Epitomized History of the Militia", reviewed, 356.
Haynes, G: H., "The Election of Senators", reviewed by H. V. Ames, 400.
HAZEN, C: D., 492; (R) Esmein's "Gouverneur Morris", 690.
Hegel, 239.
Héguerty d', 262.
Henderson, lieut.-col. G: F., 319.
Henry II., 733.
Henry III., 734, 735.
Henry IV., emperor, 733.
Henry IV., 2, 13.
Henry VI., 2.
Henry, Patrick, 540.
Hernandez, 797.
"Herrán, Vida de", by Eduardo Posada and Pedro M. Ibañez, reviewed, 668.
Hershey, Amos S., "International Law and Diplomacy of Russo-Japanese War", reviewed by T. S. Woolsey, 652.
"Hervey, Honorable William, Journals of the", "Suffolk Green Books", Vol. XIV., reviewed by A. G. Porritt, 689.
High Commission, court of; case of N: Fuller, 743–760.
Hildt, J: C., "Early Diplomatic Negotiations", reviewed, 177.
Hill, David Jayne, "History of Diplomacy", Vol. II., reviewed by G: L. Burr, 617.
Hill, Frederick Trevor, "Lincoln the Lawyer", reviewed by F. R. Mechem, 673.
Himly, Auguste, 443.
Hindrobo, admiral, 47.
"History of England to A. D. 1066", by T: Hodgkin, reviewed, 114.
"History, Lectures on Modern", by Lord Acton, reviewed, 621.
History, Religion still the Key to, by S. E. BALDWIN, 219–243.
Hite v. Fairfax (law case), 777.
Hobart, attorney-general, 754–757.
Hobby, asst. P. M. G., 68.
Hobhouse, L. T., "Lord Hobhouse", reviewed by G: M. Wrong, 141.
Hocquart, Gilles, 21, 22, 28, 33, 37.
Hodder, Frank Heywood, (ed.) "Audubon's Western Journal", reviewed, 149; (introd.) Pittman's "Present State of European Settlements", 149; paper by, 500.
Hodge, F. W., (ed.), "Spanish Explorers in the Southern United States, 1528–1543", reviewed by G: P. Winship, 926.
Hodgkin, T:, "History of England to A. D. 1066", reviewed by L. M. Larson, 114.
Höffding, Harald, "Sociological Papers", reviewed, 412.
Holland, Gonnaud's "La Colonisation Hollande à Java", reviewed, 881: Blok's "Geschiedenis van het Nederlandsche Volk", reviewed, 890.
Holst, H. E. von, 537, 790, 793.
Holy Alliance, 221, 543.
Holy Synod, Russian, 235.
"Homer and His Age", by Andrew Lang, reviewed, 605.
Hosmer, James K., "Appeal to Arms", "Outcome of the Civil War", reviewed by E. B: Andrews, 907.

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Houston, S:, 788, 793, 797, 798, 802, 803.
Howard, G: E., (R) Webb's "English Local Government from the Revolution to the Municipal Corporations Act", 631.
"Howe, Samuel Gridley, Letters and Journals", reviewed by J. I. Manatt, 640.
Howison, Robert R., death, 442.
Hoyt, D: S., 558, 559.
"Hübmaier, Balthasar", by H: C: Vedder, reviewed, 364.
Hudson, W:, (ed.), "Records of the City of Norwich", Vol. I., reviewed by C: Gross, 119.
Hughes, C:, (introd.) Knyvett's "Defence of the Realme", 688.
Hulbert, Archer Butler, "The Ohio River", reviewed by F: A. Ogg, 662.
Hull, C: H., (R) Halsey's "Tour of Four Great Rivers", 427.
Hundred Rolls, 737.
Hunt, Gaillard, (R) Franklin's "Legislative History of Naturalization in the United States", 402; (ed.) "The Writings of James Madison", reviewed, 697; (ed.) "First Forty Years of Washington Society", reviewed, 669.
Hunt, W:, "Political History of England", Vols. I., XI., III., reviewed, 114, 139, 613.
Hunter, 40–42.
Hunter's Lessee, Martin v., (law case), 777.
Huntington, 538.
Hyatt, T., 562.
Ibáñez, Pedro M., "Vida de Herrán", reviewed by L. M. Pérez, 668.
"India, English Factories in, 1618–1621", by W: Foster, reviewed, 879.
"Innocent III.", by Achille Luchaire, reviewed, 120.
"Inquisición de México, La", by Genaro García, reviewed, 422.
"Inquisition of Spain, History of the", Vols. II. and III., by H: C: Lea, reviewed, 359, 625.
Intendant in New France, Office of, by W: B. Munro, 15–38; origin in France, 15–17; appointees, 19–23; powers, 24–38.
Intendants in New France, list of, 19 n.
Ireland, W: W., "Life of Sir Henry Vane", reviewed, 369.
"Ireland, Smaller Social History of Ancient", by Patrick Joyce, reviewed, 917.
Irish Church, disestablishment, 233.
"Irish History", by Goldwin Smith, reviewed, 117.
"Irland, Die Englische Kolonisation in", by M. J. Bonn, reviewed, 123.
Isely, W. H., *The Sharps Rifle Episode in Kansas History*, 546–566.
Ismail, pasha, 242.
Italy, Mazzini's "Scritti Editi e Inediti", reviewed, 643.
Jackson, A. V. Williams, "Persia Past and Present", reviewed by G: M. Bolling, 602.
Jackson, Andrew, *President Jackson and the Texas Revolution*, by E. C. Barker, 788–809.
Jackson, S: Macauley, (ed.) "Heroes of the Reformation", 364, 366.
James I., 743, 744, 749, 750, 753, 755, 757.
James, war-correspondent, 301.
James, Edward W., death, 442.
James, James A., (R) Mowry's "Essentials of United States History", 438; (R) Redway's "Making of the American Nation", 438; address, 487.
Jameson, J. F., reports by, 487, 502, 504; (ed.) "Original Narratives of Early American History", Vols. I., III., II., reviewed, 654, 692, 926.
Jamestown, 507, 527, 528.
Janes, H: L., *The Black Warrior Affair*, 280–298.
"Java, La Colonisation Hollandaise à", by Pierre Gonnaud, reviewed, 881.
Jefferson, T:, 231, 776–778, 780, 781, 783–787.
Jefferson, Letters to Marbois, 1781–1783, (doc.), 75.
Jefferson, provisional territory, 55–65.
Jenks, J. W., address, 484.
John Carter Brown Library, 484.
Johnson, Allen, (R) Rothschild's "Lincoln", 166.

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ELECTRONIC REPRODUCTION PROHIBITED

Johnson, R: M., 786.
Johnson, S:, 259.
Johnson, Willis F., "Four Centuries of the Panama Canal", reviewed by J. R. Smith, 684.
JOHNSTON, CHRISTOPHER, (R) Breasted's "Ancient Records of Egypt", 858; (R) Müller's "Egyptological Researches", 861.
JOHNSTON, R. M., (R) Nielsen's "History of the Papacy in the XIX Century", 377.
JONES, GUERNSEY, (R) Prothero's "Select Statutes and Documents", 920.
Joyce, Patrick, "Smaller Social History of Ancient Ireland", reviewed, 917.
Junot, marshal, 44, 50, 51.
Juntas: Asturias, 48; Castile, 49; Galicia, 45–49; Leon, 46, 48, 49; Seville, 41, 42, 46; their union, 48–49, 51–52.
Kansas History, Sharps Rifle Episode in, by W. H. ISELY, 546–566.
Kant, Samuel, 222.
Kelker, L. R., 494.
Kelly-Kenny, general, 306.
Kennedy, J: Pendleton, (ed.), "Journals of the House of Burgesses of Virginia, 1770–1772", "1766–1769", reviewed, 428, 928.
Kermaingant, P. L., (ed.) Marquis de Bouillé's "Souvenirs", reviewed by F. M. Fling, 924.
Keys, Alice Mapelsden, "Cadwallader Colden", reviewed by Carl Becker, 697.
Kimball, Gertrude Selwyn, (ed.) "Correspondence of William Pitt", reviewed, 663.
King's Bench, Court, 747, 748; case of N: Fuller, 749–756.
Kingsbury, Susan M., "Introduction to Records of the Virginia Company", reviewed, 174; (ed.) "Records of the Virginia Company of London", reviewed, 424; paper by, 495.
Kitchener, Lord, 306, 309, 311.
KLENZE, CAMILLO VON, (R) Lamprecht's "Deutche Geschichte", Vol. VIII., 633.
Knyvett, Sir Henry, "Defence of the Realme", reviewed, 688.
"Konstantinopel, Geschichte des lateinischen Kaiserreiches von", by Ernst Gerland, reviewed, 611.
Kramer, Stella, "English Craft Gilds", reviewed by E. F. Gay, 170.
Kretschmayr, H., "Geschichte von Venedig", Vol. I., reviewed by F. Schwill, 864.
"Kriegskunst, Geschichte der, im Rahmen der politischen Geschichte", Vol. III., by Hans Delbrück, reviewed, 606.
"Krimkrieg und die österreichische Politik", by Heinrich Friedjung, reviewed, 894.
Ladd, T:, 744–746, 748.
Lake, Sir T:, 749, 756.
Lamprecht, Karl, 219; "Americana", reviewed, 432; "Deutche Geschichte", Vol. VIII., reviewed, 633.
Lanciani, Rodolfo, "Golden Days of the Renaissance in Rome", reviewed, 623.
Lane, W: Coolidge, (ed.) "Portrait Index", 687.
Lang, Andrew, "Homer and His Age", reviewed by J. I. Manatt, 605.
Langton, H. H., (ed.), "Review of Historical Publications relating to Canada", reviewed, 934.
Larimer, W:, 57, 63.
Larned, J. N., "Books, Culture and Character", reviewed, 687.
LARSON, LAURENCE M., (R) Hodgkin's "History of England to the Norman Conquest", 114.
Las Casas, Bartolomé de, 270, 276, 277.
LATANÉ, J: H., (R) Bosc's "Les Droits Législatifs", 178.
Latimer, Lord, 2, 8, 12.
Latin-American Confederation, Project of 1856, (doc.), 94–103.
Laughton, John K., (ed.), "Recollections of James Anthony Gardner", reviewed, 925.
Laurence, Reginald Vere, (ed.) Acton's "Lectures on Modern History", 621.
Lavisse, E., "Histoire de France: Louis XIV.", reviewed by J. W. Thompson, 130.
Lau, Friederich, (ed.), "Codex Diplomaticus Moenofrancofurtanus", Vols.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I. and II., reviewed by E. W. Dow, 354.
Law, J:, 16.
Lawrence, A. A., 547, 549, 554–557.
Lawrence, major, 304.
Laybach, congress of, 543.
Lea, H: C:, "History of the Inquisition of Spain", Vols. II., III., reviewed by G: L. Burr, 359, 625.
Leathes, Stanley, (ed.) "Cambridge Modern History", Vols. IX., IV., 135, 627.
Lee, W:, 540.
Leland, W. G., 341.
Le Roy, James A., (R) Figafetta's "Magellan's Voyage", 125; (R) Foreman's "Philippine Islands", 388; (R) Blair and Robertson's "Philippine Islands", Vols. XXVIII., XXX.–XXXVIII., XXXIX.–XLVI., 143, 912.
Levant Company, 512.
Levermore, C: H., (R) MacDonald's "Jeffersonian Democracy", 164; (R) McMaster's "History of the People of the United States", Vol. VI., 899.
Lévis-Mirepoix, duke de, 255.
Lewis, H. P., 488.
Lewis, Joseph, 68.
Lewis, Theodore H., (ed.), "Spanish Explorers in the Southern United States, 1528–1543", reviewed by G: P. Winship, 926.
Lexington (Kentucky), early industries, 765.
Liberty Hall (newspaper, Cincinnati), 763, 769, 770, 773.
Lincoln, Abraham, 63, 64, 562, 569, 573, 574, 575.
"Lincoln", by Alonzo Rothschild, reviewed, 166.
"Lincoln the Lawyer", by F: Trevor Hill, reviewed, 673.
"Lincoln and Gettysburg", by H: Sweetser Burrage, reviewed, 700.
Lincoln, C: H:, "Calendar of Naval Records of the Revolution", reviewed, 930.
Lincoln, C: Z., "Constitutional History of New York", reviewed by R. Foster, 392.
Lindsay, T: M., "History of the Reformation", reviewed by W. W. Rockwell, 874.
"Linesman", *see* Grant.
Lionne, marquis de, 245.
Literature of the South African War, 1899–1902, by a British Officer, 299–331.
Liverpool, lord, 310.
Livingston, E:, 792, 793.
Lloyd, J. C., 305.
Lodge, H: Cabot, "A Frontier Town", reviewed, 701.
Lollards, 11, 12.
"Lombard Communes, The", by W: F. Butler, reviewed, 917.
Long, major, 54.
Loomis, Louise R., paper by, 486.
Lossberg, Otto V., 309.
Louis XIV., 245, 246; Bradby's "Great Days at Versailles", reviewed, 883.
"Louis XIV.", by E. Lavisse, reviewed, 130.
Lowery, Woodbury, "Spanish Settlements", Vol. II., reviewed by G. P. Winship, 423.
Lucas, C. P., "The Canadian War of 1812", reviewed, 429.
Luchaire, Achille, "Innocent III.", reviewed by O. J. Thatcher, 120.
Luther, Martin, 733.
"Lutherum Disputationes contra", by F. Pijper, reviewed, 363.
Luzio, Alexandro, "I Martiri di Belfiore e il loro Processo", reviewed by H. N. Gay, 644; "Profili Biografici e Bozzetti Storici", reviewed by H. N. Gay, 644.
Luzuriaga, 289.
Lyford, James O., "Life of Edward H. Rollins", reviewed by J. F. Colby, 906.
Lyons, Richard, 9.
Macaulay, T. B., lord, 222.
McCaleb, Walter F., *The Organization of the Post-Office Department of the Confederacy*, 66–74; (ed.) Reagan's "Memoirs", 679.
McClary, Gilman v.: a New Hampshire Case of 1791, (doc.), 348.
McCulloch v. Maryland (law case), 779, 781.
MacDonald, W:, (R) Dougherty's "Electoral System", 154; "Jack-

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sonian Democracy", reviewed by C: H. Levermore, 164.
McDonnel, lieutenant, 305.
Mackintosh, John, death, 937.
McLaughlin, A. C., 492.
McMaster, John B., "History of the People of the United States", Vol. VI., reviewed by C. H. Levermore, 899.
McNain, 68.
Madison, James, 545, 777, 779, 781, 784, 785.
"Madison, James, The Writings of", Vol. VI., reviewed, 697.
"Magellan's Voyage", by Antonio Pigafetta, reviewed, 125.
Magna Charta, 4.
Mahaffy, John Pentland, "Silver Age of the Greek World", reviewed by B. Perrin, 414.
Mail-routes in Confederacy, 72–73.
Mair, John, Journal of, 1791, (doc.), 77–94.
Maitland, Frederick W., death, 703.
"Making of the American Nation", by Jacques Wardlaw Redway, reviewed, 438.
Mallory, Stephen R., Letter of, 1861, (doc.), 103–108.
MANATT, J. IRVING, (R) Lang's "Homer and His Age", 605; (R) "Letters and Journals of Samuel Gridley Howe", 640.
Mann, A. Dudley, 293.
Mansell, 744, 746, 748.
MANTOUX, PAUL, *French Reports of British Parliamentary Debates in the Eighteenth Century*, 244–269; "La Révolution Industrielle au XVIII^e Siècle", reviewed by E. F. Gay, 884.
Manufactures in the Miami Country, The Rise of, by F. P. GOODWIN, 761–775; Western industries prior to 1815, 762–765; attitude of West and East toward tariff of 1816, 766–769; industries founded between 1815 and 1820, 770–775.
Marbois, Letters of Jefferson to, 1781, 1783, (doc.), 75–77.
Marcy, W: L., 292, 293, 297, 298.
"Marquez, Don Leonardo, Causa Mandada Formar á", by Genaro García, (ed.), reviewed, 699.
Marriot, Sir W:, 242.
Marshall, J:, *Chief Justice Marshall and Virginia*, by W. E. DODD, 776–787; "Fairfax" case, 777–779; *McCulloch v. Maryland*, 779–781; *Cohens v. the State of Virginia*, 781–786.
Marshall, John, Letter to James Wilkinson, 1787, (doc.), 346.
Marshall, W: I., death, 443.
Martin v. Hunter's Lessee (law case), 777.
Maryland, Narrative of a Voyage to, 1705–1706, (doc.), 327–340.
Maryland, Catholic Mission in, 1641, (doc.), 584.
Maryland, McCulloch v., (law case), 779, 781.
Mason, Arthur James, (trans.) Nielsen's "History of the Papacy", reviewed, 377.
Massachusetts Historical Society, "Proceedings of", Vol. XIX. reviewed, 433; "Collections", seventh series, Vol. VI., reviewed, 931.
Masson, Frédéric, (ed.) "Memoirs of Count de Cartrie", reviewed by G: M. Dutcher, 376.
Maurice, Sir F:, 319, 320.
Maxcy, Virgil, on Calhoun's Political Opinions and Prospects, 1823, (doc.), 599.
"Maximiliano, Intimo", by José L. Blasio, reviewed, 927.
Maxwell, war correspondent, 301.
Mayflower, (vessel), 519.
Mayo, Robert, 798–800, 802.
Mazzatinti, Giuseppe, death, 186.
Mazzini, Giuseppe, "Scritti Editi e Inediti", Vol. I., reviewed by H. N. Gay, 643.
MECHEM, FLOYD R., (R) Hill's "Lincoln the Lawyer", 672.
Medieval Boroughs, Mortmain in, by C. GROSS, 733–742.
Meeting of the American Historical Association at Providence, 483–506.
Melish, J:, 763.
Methuen, lord, 306, 311.
Meulles, Jean de, 21, 22, 27, 36, 37.
"Mexicana, Los Precursores de la Independencia", by Luis G. Obregón, reviewed, 927.

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Mexico, Garcia's "Inquisición", reviewed, 422.
"Mexico durante su Guerra con los Estados Unidos", by José Fernando Ramirez, reviewed, 431.
"Mexico y la Guerra de Independencia, El Clero de", reviewed, 931.
Meyer, A. O., 584.
Miami Country, The Rise of Manufactures in the, by F. P. Goodwin, 761–775.
"Militia, Epitomized History of the", by G: Jackson Hay, reviewed, 356.
Mirepoix, duke de, 255.
Mission, Catholic, in Maryland, 1641, (doc.), 584.
"Mississippitales, Die Kolonisation des", by Alexander France, reviewed, 659.
Moeller, lieutenant, 305.
Molmenti, Pompeo, "Venice", Part I., reviewed by F. Schwill, 805.
"Monopoly, English Patents of", by W: H. Price, reviewed, 878.
Monroe, James, 778, 779, 781.
Montague, C. E., (introd.) Arnold's "Studies of Roman Imperialism", 351.
Mooney, James, (R) Friederici's "Skalpieren und ähnliche Kriegsgebräuche in Amerika", 391.
Moore, C:, (R) Upham's "Groseilliers and Radisson", 694.
Moore, F: W., (R) Turner's "Rise of the New West", 162; (R) Reynolds's "Reconstruction in South Carolina", 180.
Morey, W: C., "Outlines of Ancient History", reviewed by J. Sullivan, 437.
Morley, J:, 223.
Mormons, restriction of, 54.
"Morris, Gouverneur", by A. Esmein, reviewed, 690.
Mortmain in Medieval Boroughs, by C. Gross, 733–742: ecclesiastical exemptions from taxation, 733–738; prohibition of bequests of land to the church, 738–742.
Mowry, W: A. and Blanche S., "Essentials of United States History", reviewed by J. A. James, 438.
Müller, W. Max, "Egyptological Researches", reviewed by C. Johnston, 861.
Munro, Dana C., (R) Bréhier's "L'Église et l'Orient au Moyen Age", 608; (R) Gerland's "Geschichte des lateinischen Kaiserreiches von Konstantinopel", 611; paper by, 485, 492.
Munro, W. B., *The Office of Intendant in New France*, 15–38.
Muscovy Company, 512, 514.
Muzzey, David S., (R) Guiraud's "Questions d'Histoire", 113; (R) Dejob's "La Foi Religieuse en Italie au Quatorzième Siècle", 615.
Myers, Philip Van Ness, "General History", reviewed, 436; "Outlines of Nineteenth Century History", reviewed, 702; "Short History of Ancient Times", reviewed, 936; "Short History of Mediaeval and Modern Times", reviewed, 936.
Napier, Sir William, 41, 51, 52.
Napoleon I., 39, 42, 52, 242.
"Napoleon's Last Voyages", by Sir Thomas Ussher, reviewed, 691.
"Napoleon's Campaign in Poland, 1806–1807", by F. Loraine Petre, reviewed, 888.
Napoleon III., 233.
"Napoleon III., Rome et", by Émile Bourgeois and É. Clermont, reviewed, 892.
"Naturalization, Legislative History of", by F. G: Franklin, reviewed, 402.
"Naval Records of the Revolution, Calendar of the", by C: H. Lincoln, reviewed, 930.
"Navy of the American Revolution, The", by C: O. Paullin, reviewed, 666.
"Navy, Memories of the Royal", by Samuel Pepys, reviewed, 689.
"Nederlandsche Volk, Geschiedenis van het", Vol. VII., by P. J. Blok, reviewed, 890.
Negro, Paulo di, 277, 278.
Nelson, W:, (ed.) "Archives of the State of New Jersey", Vol. XXV., reviewed, 177.
Nero, "Le Fonti ed i Tempi della Incendio Neroniano", by Attilio Profumo, reviewed, 416.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Netherlands, The Rise and Decline of the", by J. E. Barker, reviewed, 922.
Neville, Lord John de, 9.
New England History Teachers' Association, meeting, 483.
New England Emigrant Aid Society, 547, 549, 552, 553, 560, 561, 565, 566.
Newfoundland Company, 514.
New France, list of intendants in, 19 n.
New France, Office of Intendant in, by W: B. MUNRO, 15-38.
New Hampshire Case of 1791: Gilman v. McClary, (doc.), 348.
"New York, Political History of State of", by D. S. Alexander, reviewed, 152.
"New York, Constitutional History of", by C: Z. Lincoln, reviewed, 392.
Newe, Thomas, Letters from South Carolina, 1682, (doc.), 322–327.
NEWMAN, ALBERT H., (R) Whitney's "The Reformation", 876.
Nicholas II., czar, 223, 235.
Nielsen, Fredrik, "History of the Papacy in the Nineteenth Century", reviewed by R. M. Johnston, 377; death, 937.
"Nonciatures de France", Vol. I., by l'Abbé G. Fraikin, reviewed, 418.
Norfolk, duke of, 12.
Norwich, 734, 738.
"Norwich, Records of the City of", reviewed, 119.
Noyon, 734.
Obregón, Luis G., "Los Precursores de la Independencia Mexicana", reviewed, 927.
Offit, St. George, 68.
OGG, F: A., (ed.) Fordham's "Personal Narrative of Travels", reviewed by E. E. Sparks, 149; (R) Hulbert's "The Ohio River", 662.
"Ohio River, The", by Archer B. Hulbert, reviewed, 662.
Oliver, Frederick Scott, "Alexander Hamilton", reviewed by J: S. Bassett, 398.
Olmsted, F: L., 556.
Olson, Julius E., (ed.) "The Northmen", reviewed by C. R. Beazley, 654.
Onslow, G:, colonel, 261.
Orjuela, L., "Reseña Zipaquireña", reviewed by L. M. Pérez, 668.
Osgood, Herbert Levi, (introd.) "Records of the Virginia Company of London", 424.
"Outcome of the Civil War", by J. K. Hosmer, reviewed, 907.
PAGE, T: W., (R) Davenport's "The Economic Development of a Norfolk Manor", 609.
Palestine, *Directorium ad Faciendum Passagium Transmarinum*, (doc.), 811–857.
"Panama Canal, Four Centuries of the", by W. F. Johnson, reviewed, 684.
"Papacy, History of the, in the Nineteenth Century", by Fredrik Nielsen, reviewed, 377.
Parish, J. C., 494.
Parliament, control of privy council by, 1–10; of Gloucester, 2, 4, 6; "Good", 2, 3, 11.
Parliamentary Debates in the Eighteenth Century, French Reports of British, by P. MANTOUX, 244–269.
"Parties and Slavery", by Theodore C. Smith, reviewed, 675.
Pastor, Ludwig, "Geschichte der Päpste", Vol. IV., reviewed by G: L. Burr, 361.
"Pastores, Los, a Mexican Play of the Nativity", (tr.) by M. R. Cole, reviewed, 935.
"Patents, English, of Monopoly", by W: H. Price, reviewed, 878.
Paul, Herbert, "History of Modern England", Vol. V., reviewed by W. C. Abbott, 385.
Paullin, C: Oscar, "The Navy of the American Revolution", reviewed by C. H. Van Tyne, 666.
PAXSON, F: L., *The Territory of Colorado*, 53–65.
Paxton, W. M., 563.
Peacham, Henry, "Compleat Gentleman", reviewed, 922.
Pearse, war correspondent, 301.
Pearson, Edith W., (ed.), "Letters from Port Royal Written at the Time of the Civil War", reviewed, 932.
Pedrazo, general, 792.

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Pelham, Henry F., death, 703.
Pepys, S., "Memoires of the Royal Navy", reviewed, 689.
Pereyra, Carlos, (ed.) "La Inquisición de México", reviewed, 422.
Pérez, L. M., 95; (R) Posada and Ibáñez's "Vida de Herrán" and Finestrad's [et al.] "Los Comuneros", 668; (R) Arana's "Colección de Historiadores i de Documentos relativos a la Indepencia de Chile", Vols. IX.–XIV., 671; "Apuntes de Libros que tratan de Cuba", reviewed, 935.
Perkins, James B., (R) Bradby's "The Great Days of Versailles", 883.
Perrin, B., (R) Mahaffy's "Silver Age of the Greek World", 414.
"Persia Past and Present", by A. V. W. Jackson, reviewed, 602.
Petre, F. Loraine, "Napoleon's Campaign in Poland, 1806–1807", reviewed by T. A. Dodge, 888.
Pezuela, marquis de la, 281, 285–290, 296.
Philip II. August, 734.
"Philipp II. August", Vol. II., by Alexander Cartellieri, reviewed, 358.
"Philippine Islands, The", by E. H. Blair and J. A. Robertson, Vols. XXVIII., XXX.–XXXVIII., XXXIX.–XLVI., reviewed, 143, 912.
"Philippine Islands, The," by J: Foreman, reviewed, 388.
Phillipps, March, 304.
Phillips, P. Lee, (R) Burrage's "Early English and French Voyages", 692.
Pichot, Pierre Amédée, (ed.) "Memoirs of the Count de Cartrie", 376.
Pickett, T: E., "The Quest for a Lost Race", reviewed, 916.
Pier, Garret C., "Catalogue of Egyptian Antiquities", reviewed, 915.
Pierce, Franklin, 292, 293, 298, 547, 554, 560, 562, 564, 566.
Pierce, Franklin, "The Tariff and the Trusts", reviewed by D. R. Dewey, 933.
Pierce, James O., "Studies in Constitutional History", reviewed, 172.
Pierce, J:, 519.
Pigafetta, Antonio, "Magellan's Voyage", reviewed by J. A. Le Roy, 125.
Pijper, F., (ed.) "Primitiae Pontificiae; Disputationes contra Lutherum", reviewed by W: W. Rockwell, 363.
Pionnier, Edmond, "Essai sur l'Histoire de la Révolution à Verdun", reviewed by H: E. Bourne, 636.
"Pitt, William", by Albert von Ruville, reviewed, 371.
"Pitt, William, correspondence of", by G. S. Kimball, reviewed, 663.
"Pitt, William, der Jüngere", by Felix Salomon, reviewed, 886.
Pittman, Philip, "Present State of European Settlements", reviewed by E. E. Sparks, 149.
Pittsburgh, early industries, 761, 765.
Pius X., 219.
Platner, Samuel B., (R) Profumo's "Le Fonti ed i Tempi dello Incendio Neroniano", 416.
Plum, Harry Grant, "Teutonic Order", reviewed by F. G. Davenport, 169.
Pobedonostseff, 223 n, 235.
Poinsett, Joel R., 788–791.
Pollock, colonel, 304.
Pomeroy, S. C., 549, 558–559.
Pomponne, marquis, 246, 249.
Poole, Reginald L., "Political History of England", Vols. I., XI., III., reviewed, 114, 139, 613.
Pope, John, governor, 802.
Popham, Sir J:, 517.
Porritt., A. G., (R) "Journals of the Honourable William Hervey", 689.
"Port Royal, Letters written from, at the Time of the Civil War", (ed.) by E. W. Pearson, reviewed, 932.
"Portrait Index", by W: C. Lane, reviewed, 687.
Portugal, colonial enterprise of, 507–508.
Posada, Eduardo, "Vida de Herrán", reviewed by L. M. Pérez, 668.
Post-Office Department of the Confederacy, Organization of the, by W. F. McCaleb, 66–74.
Post-Office Department, Washington, secret mission to Southern employees in, March, 1861, 68.
"Powell, Frederick York", by Oliver Elton, reviewed, 648.

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"Pragmatique Sanction de Bourges, Histoire de la", by Noël Valois, reviewed, 619.
"Precursores de la Independencia Mexicana, Los", by L. G. Obregón, reviewed, 927.
Preissig, Edward, "Notes on the History and Political Institutions of the Old World", reviewed, 414.
"Present State of European Settlements", by Philip Pittman, reviewed, 149.
"Président, Les Droits Législatifs du", by Henri Bosc, reviewed, 178.
"Press, Development of Freedom of the", by C. A. Duniway, reviewed, 145.
Price, W. H., "The English Patents of Monopoly", reviewed, 878.
Prins, Adolphe, "De l'Esprit du Gouvernement Démocratique", reviewed, 413.
Privy Council of the Time of Richard II., by J. F. Baldwin, 1–14; parliamentary control, 1–10; control by king, 11–14; composition, 4–5; pay of members, 5–6.
"Proceedings of the American Political Science Association", reviewed, 412.
"Profili Biografici e Bozzetti Storici", by Alessandro Luzio, reviewed, 644.
Profumo, Attilio, "Le Fonti ed i Tempi dello Incendio Neroniano", reviewed by S: B. Platner, 416.
Prohibition and Consultation, by Court of King's Bench; distinction, 748, 749 n.
Proof that Columbus was born in 1451: A New Document, by H: Vignaud, 270-279.
Prothero, G. W., (ed.) Acton's "Cambridge Modern History", Vols. IX., IV., reviewed, 135, 627; "Select Statutes and Other Constitutional Documents", reviewed by G. Jones, 920.
Providence, Meeting of the American Historical Association at, 483–506.
"Provincial Administration, The Roman System of", by W. T. Arnold, reviewed, 915.
Putnam, George H., "The Censorship of the Church of Rome", Vol. I., reviewed by *G. L. Hamilton*, 871.
"Quakerism and Politics", by Isaac Sharpless, reviewed, 149.
"Quest for a Lost Race, The", by T: E. Pickett, reviewed, 916.
Quétif, 810.
Quitman, J: A., 295.
Raleigh, Sir W., 510, 512, 516, 517.
Ramirez, José Fernando, "México durante su Guerra con los Estados Unidos", reviewed by J. S. Reeves, 431.
Rammelkamp, C. H., (R) Reid's "Story of Old Fort Johnson", 397.
Randolph, E., 542.
Randolph, Edmund, on the British Treaty, 1795, (doc.), 587–599.
Randolph, T: M., 783, 785.
Raudot, Jacques, 22, 23, 28, 33, 37.
"Readings in European History", by J. H. Robinson, reviewed, 168.
Reagan, J: H., 66–74; "Memoirs", reviewed by W: E. Dodd, 679.
"Reconstruction, Documentary History of", Vol. I., by W. L. Fleming, reviewed, 701.
"Reconstruction in North Carolina", by J. G. de Roullac Hamilton, reviewed, 911.
Redway, Jacques Wardlaw, "Making of the American Nation", reviewed by J. A. James, 438.
Reeves, Jesse S., (R) Ramirez's "México durante su Guerra con los Estados Unidos", 431; (R) Garrison's "Westward Extension", 673.
Reformation, Doumergue's "Jean Calvin", Vol. III., reviewed, 127; Pijper's "Disputationes contra Lutherum", reviewed, 363; Walker's "John Calvin", reviewed, 366.
"Reformation, History of the", by T: M. Lindsay, reviewed, 874.
"Reformation", by J. P. Whitney, reviewed, 876.
Regency Bill, 1751, debate, 262–267.
"Registres du Conseil de Genève", Vol. II., reviewed, 418.
Reichman, C:, 309.
Reid, Max, "The Story of Old Fort Johnson", reviewed by C: H. Rammelkamp, 397.

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Reid, Stuart J., "Life and Letters of the First Earl of Durham", reviewed by G: M. Wrong, 637.
Religion still the Key to History, by S. E. BALDWIN, 219–243.
Religious liberty, statute, in Virginia, 1786, 231.
"Renaissance in Rome, Golden Days of the", by Rodolfo Lanciani, reviewed, 623.
Renan, E., 220, 225, 243.
"Republica Anglorum, De", by T: Smith, reviewed, 921.
Réville, Albert, death, 444.
Revolution, Ford's "Journals of the Continental Congress". Vols. v., vi., vii., reviewed, 177, 929; Paulin's "Navy of American Revolution", reviewed, 666.
"Révolution, Collection de Documents Inédits sur l'Histoire économique de la", by Camille Bloch, reviewed, 373.
Revolution, Sovereignty in the American, by C. H. VAN TYNE, 529–545.
"Révolution à Verdun, Essai sur l'Histoire de la", by Edmond Pionnier, reviewed, 636.
"Révolution Industrielle au XVIII^e Siècle", by Paul Mantoux, reviewed, 884.
"Revolution, Calendar of the Naval Records of the", by C: H. Lincoln, reviewed, 930.
Reynolds, J: S., "Reconstruction in South Carolina", reviewed by F. W. Moore, 180.
Rhode Island Historical Society, 484.
Rhodes, James Ford, "History of the United States", Vols. vi., vii., reviewed by W: G. Brown, 680.
Richard II., 738.
Richard II., Privy Council of the Time of, by J. F. BALDWIN, 1–14.
Richards, Laura V., (ed.) "Letters and Journals of Samuel Gridley Howe", Vol. i., reviewed by J. I. Manatt, 640.
Richelieu, cardinal, 16.
Richmond Enquirer (newspaper), 777–780, 784, 785.
Rio Seco, battle, 43, 44, 51.
Ritchie, T:, 777, 783, 784.
Roane, Spencer, opposition to J: Marshall, 776–787.
Roberts, G: S., "Historic Towns of the Connecticut River Valley", reviewed, 434.
Roberts, lord, 303–306, 311, 315, 317, 320.
ROBERTSON, JAMES A., (trans.) Pigafetta's "Magellan's Voyage", reviewed by J. A. Le Roy, 125; (ed.) "The Philippine Islands", Vols. XXVIII., XXX.–XXXVIII., XXXIX.–XLVI., reviewed by J. A. Le Roy, 143, 912; (R) Serrano y Sanz's "Colección de Libros", Vols. v. and VI., 173.
Robertson, W: H., 282, 286, 287.
Robinson, C:, 549–554, 565.
Robinson, David M., "Ancient Sinope", reviewed, 687.
ROBINSON, JAMES H., (R) "Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française", 373; "Readings in European History", reviewed by F. G. Davenport, 168.
Robinson, Paschal, (ed.) "The Golden Sayings of the Blessed Brother Giles of Assisi", reviewed, 920.
Roca, 282–286.
ROCKWELL, W: W., (R) Pijper's "Primitiae Pontificiae", 363; (R) Vedder's "Balthasar Hübmaier, the Leader of the Anabaptists", 364; (R) Lindsay's "A History of the Reformation", 874.
Rocky Mountain News (periodical), 58.
Roe, Sir T:, 514.
Roger, M., "L'Enseignement des Lettres Classiques", reviewed by H: O. Taylor, 352.
"Rôles Gascons", by C: Bémont, reviewed, 169.
"Rollins, Life of Edward H.", by J. O. Lyford, reviewed, 906.
"Roman Imperialism, Studies in", by W: T. Arnold, reviewed, 351.
"Roman System of Provincial Administration, The", by W. T. Arnold, reviewed, 915.
Rome, Profumo's "Incendio Neroniano", reviewed, 416; Lanciani's "Golden Days of the Renaissance", reviewed, 623.
"Rome et Napoléon III.", by Émile

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Bourgeois and E. Clermont, reviewed, 892.
"Römische Timokratie, Die", by Francis Smith, reviewed, 688.
Romney, Sir W:, 514.
Roosevelt, Theodore, 219.
Rose, J: Holland, *Canning and the Spanish Patriots in 1808*, 39–52; (ed.) Ussher and Glover's "Napoleon's Last Voyages", reviewed by J. W. Thompson, 691.
Rossetti, C., letter of, 584.
Rothschild, Alonzo, "Lincoln", reviewed by Allen Johnson, 166.
Rowland, Dunbar, (ed.) "Mississippi Territorial Archives", Vol. I., reviewed, 179.
Royal Historical Society, "Transactions of the", Vol. XX., reviewed by F. G. Davenport, 686.
"Royalty, Mental and Moral Heredity in", by F: A. Woods, reviewed, 110.
Ruskin, J:, 227.
Russel, J:, 13.
"Russo-Japanese War, International Law and Diplomacy of", by A. S. Hershey, reviewed, 652.
Ruville, Albert von, "William Pitt", reviewed, 371.
Sachse, Julius, 488; "Benjamin Franklin as a Free Mason", reviewed, 928.
Sadler, Michael E., "Sociological Papers", reviewed, 412.
Sainte-Beuve, 227.
Salisbury, earl of, 743, 749, 753–755, 757.
Salmon, Lucy M., 488.
Salomon, Felix, "William Pitt der Jüngere", reviewed by H. M. Bowman, 806.
Salvagnini, 276.
San Luis, 295.
Sanborn, F. B., (introd.) "Letters and Journals of Samuel Gridley Howe", Vol. I., 640.
Sand, G:, 228.
Sandys, Sir Edwin, 514.
Santa Anna, general, Antonio Lopez de, 791, 792, 794–796, 803, 808.
Santiago, inspector, 281.
Schwartzman, captain, 68.
Schwill, Ferdinand, (R) Kretschmayr's "Geschichte von Venedig", Vol. I., 864; (R) Molmenti's "Venice", 866.
Scott, lieutenant, 305.
"Scottish Parliament, The", by C: S. Terry, reviewed, 129.
"Scritti Editi e Inediti", Vol. I., by Guiseppe Mazzini, reviewed, 643.
Scrope, W: C., earl of Wiltshire, 12, 13.
Seippel, Paul, "Les Deux Frances", reviewed by C: Borgeaud, 133.
Selby, Ralph de, 13.
"Select Statutes and Other Constitutional Documents", by G: W. Prothero, reviewed, 920.
"Senators, The Election of", by G: H. Haynes, reviewed, 400.
Sentiñón, G. (trans.) "Mexico: its Social Evoluion", reviewed, 406.
Serrano, "Colección de Libros y Documentos referentes á la Historia de América", Vols. V., VI., reviewed by J. A. Robertson, 173.
Shambaugh, B: F., 493.
Sharpless, Isaac, "Quakerism and Politics", reviewed by H. V. Ames, 149.
Sharps Rifle Episode in Kansas History, by W. H. Isely, 546–566.
Shepherd, W: R., (R) Avery's "A History of the United States and its People", Vol. II., 657.
"Sherman, John", by Theodore E. Burton, reviewed, 905.
Sherman, Roger, 538.
"Shirburn Ballads, The", (ed.) by Andrew Clark, reviewed, 923.
Shuckburgh, Evelyn S., death, 186; (ed.), Arnold's "Roman System of Provincial Administration", reviewed by F. F. Abbott, 915.
Sidney, Sir Philip, 510.
"Sidney, Life of Sir Philip", by Fulke Greville, reviewed, 923.
Sierra, Justo, (ed.) "Mexico: its Social Evolution", reviewed, 406.
Silliman, B:, 560.
Simpson, Mrs. M., 77.
"Sinope, Ancient", by D. M. Robinson, reviewed, 687.
"Skalpieren und ähnliche Kriegsgebräuche in Amerika", by Georg Friederici, 391.

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Slafter, Edmund F., death, 442.
Slavery, *Sharps Rifle Episode in Kansas History*, 546–566; Thaddeus Stevens, 566–573.
"Slavery and Abolition", by A. B. Hart, reviewed, 902.
Slidell, J., 295.
Smith, A. J., 56.
Smith, Francis, "Die römische Timokratie", reviewed, 688.
Smith, Goldwin, "Irish History", reviewed by S. B. Fay, 117.
SMITH, J. RUSSELL, (R) Johnson's "Four Centuries of the Panama Canal", 684.
Smith, J:, captain, 510.
Smith, Richard, "Tour of Four Great Rivers", reviewed by C. H. Hull, 427.
Smith, Theodore C., 493; "Parties and Slavery", reviewed by C. R. Fish, 675.
Smith, Sir T:, "De Republica Anglorum", reviewed, 921.
Smyth, Albert H., death, 937.
Smythe, Sir T:, 510, 514.
"Sociological Papers", by Francis Galton, reviewed, 412.
Sorel, Albert, death, 186.
Soulé, Pierre, 290, 295, 296, 298.
"Sources de l'Histoire de France, Les", by Henri Hauser, reviewed, 171.
South African War, royal commission, 311; *Times* history, 314–318; "On the Heels of DeWet", 307; "Ten Months in the Field with the Boers", 309; History by German General Staff, 318.
South African War, 1899–1902, Literature of the, by a BRITISH OFFICER, 299–331.
South American trade, 47.
South Carolina, Letters of Thomas Newe from, 1682, (doc.), 322–327.
"South Carolina, Reconstruction in", by J: S. Reynolds, 180.
Southern employees in Post-Office Department, Washington, secret mission to, March, 1861, 68.
Sovereignty in the American Revolution, by C. H. VAN TYNE, 529–545; powers and instructions of delegates to Continental Congress, 529–532; reconciliation with Great Britain, 532–535; respective powers of Congress and state, 536–543.
Spain, *Black Warrior Affair*, 280–298; Colonial enterprises, 508; Lea's "History of the Inquisition", Vols. II. and III., reviewed, 359, 625; *see also* Juntas.
Spanish Patriots in 1808, Canning and the, by J: H. ROSE, 39–52.
"Spanish Explorers in the Southern United States, 1528–1543", (ed.) by F: W. Hodge and T. H. Lewis, reviewed, 926.
SPARKS, EDWIN E., (R) Audubon's "Audubon's Western Journal", 149; (R) Fordham's "Personal Narrative", 149; (R) Pittman's "Present State of European Settlements", 149.
Spencer, H: Russell, "Constitutional Conflict", reviewed by E. B. Greene, 175.
Spencer, Herbert, 222, 224, 227.
Staper, R:, 514.
Stearns, G: L., 549, 561.
Steele, Robert W., 60, 63, 65.
Steevens, G: L., 301, 302.
Stephens, A. J., 57.
Stephens, Alexander H., 67.
STEPHENS, H. MORSE, 492; (R) Elton's "Frederick York Powell", 648.
Stevens, B. F., "Report on American Manuscripts", Vol. II., reviewed, 428.
Stevens, Thaddeus, Attitude of, towards the Conduct of the Civil War, by J. A. WOODBURN, 567–583.
STEVENSON, E. L., (R) Beasley's "The Dawn of Modern Geography", Vol. III., 869.
Story, Joseph, 529, 533, 779, 781, 784.
Stowe, Harriet B., 546.
Stuart, C:, 40, 41, 43–50.
Stuart-Glennie, J: S., "Sociological Papers", reviewed, 412.
Stuart, war correspondent, 301.
Stury, Richard, 11.
Suffolk, Michael, earl of, 9.
SULLIVAN, JAMES, 489; (R) Morey's "Outlines of Ancient History", 437.
Sumner, C:, 547, 578.
Supreme Court, United States: Chief

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